

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38371 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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Satish Kumar, S/o Budhi Nath Mandal, Residents of Village-
Madhukarchak, P.S.- Bihariganj, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.04.2017 in connection with Bihariganj P.S. Case No. 122 of
2017 for offences punishable under Sections 302/201/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter-in-law namely, Sunita Devi had gone to maize
field for collecting the grass in the evening but did not return and
on search on the next day her dead body was found with slit throat
in the maize field by the police and villagers.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and just because he is also a villager and roaming in the field, he has been made accused. He submits that the witnesses who have supported the prosecution case are only hearsay witnesses and that it is only on the basis of suspicion he has been made accused. He submits that one of the co-accused who was found roaming along with the petitioner has since been granted privilege of bail by this Court in Cr. Misc. No. 31034 of 2017 on 22.08.2017. He submits that there is no motive behind the said killing and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Uda-Kishunganj, District-Madhepura in connection with Bihariganj P.S. Case No.122 of 2017 corresponding G.R. No. 422 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner having



sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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