

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47460 of 2017

Arising Out of PS.Case No. -72 Year- 2017 Thana -UDAKISHANGANJ District- MADHEPURA

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1. Shambhu Chaudhary son of Dileshwar Chaudhary Resident of Village -
Tirashi Ward No. - 5, P.S. - Udakishunganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
30.06.2017 in connection with Udakishunganj P.S.Case No.72/17
for the offences under Sections 302, 201/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is that
his sister Sabina Khatoon was divorced from her husband fifteen
years back and was living along with her 15 year son Razabul
Ansari. She disappeared from the house and on frantic search her
dead body was found in the maize field of Ali Ansari and an injury
on her head by Kachia was found, her neck was tied with her
dupatta.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and has been made accused just because he has a criminal antecedent. He has been made accused only on suspicion by the witnesses who were not eye witnesses to the occurrence, there is no motive behind the occurrence, charge sheet has been submitted and there is no allegation of tampering of prosecution witness by the petitioner.

However, learned A.P.P. opposed the prayer for bail stating therein that the informant's sister has been murdered.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M., Udakishunganj, Madhepura, in Udakishunganj P.S. Case No.72 of 2017 subject to the condition that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) the petitioner will not induce any witness or tamper with the evidence (3) the petitioner shall cooperate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two



consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Nilu Agrawal, J)

AnilKrSinha/-

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