

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72806 of 2018

Arising Out of PS. Case No.-249 Year-2015 Thana- FALKA District- Katihar

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Bhutani Murmu @ Bhuthan Murmu, Son of Late Lakhan Murmu, Resident of Village- Mohammada Nagar Kauwakol Santhali Tola, P.S.- Falka, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
: Mr. Vikram Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Informant.

The petitioner who is in custody seeks bail in connection with Falka **P.S. Case No. 249 of 2015** for the offence punishable under Sections 342/34, 448/34, 324/34, 302/34, 201/34 of the Indian Penal Code.

Informant has alleged that the wife of his brother Barku Murmu died after giving birth to a child and for which the wife of petitioner was alleged to be a dayan and thereafter Barku Murmu, Gango Murmu, Bhutani Murmu (Petitioner), Talu Murmu and Sant Lal Murmu came to his house and dragged Sanjeeta Devi wife of informant and assaulted her and when he tried to save her he was also assaulted and his wife was



killed by all the FIR named accused and after sometime he saw that his nephew Sant Lal Murmu and Talu Murmu were taking away the dead body of his wife in a sack.

Petitioner had earlier moved this Court for grant of bail in Cr. Misc. No. 56310 of 2018 which was dismissed on 17.02.2016 and thereafter in Cr. Misc. No. 8301 of 2017 dismissed on 22.02.2017 and thereafter in Cr. Misc. No. 32118 of 2018 dated 20.06.2018.

Petitioner has no criminal antecedent and he is in custody since 09.10.2015.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Katihar, in connection with Falka **P.S. Case No. 249 of 2015.**

(i) Bailor should be local having sufficient immovable properties within the jurisdiction of concerned court.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(iii) Petitioner shall not tamper the evidence and if he is found of indulging in tampering of



evidence, the prosecution shall be at liberty to
move for cancellation of his bail bond.

(S. Kumar, J)

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