

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37683 of 2018

Arising Out of PS.Case No. -54 Year- 2018 Thana -SAHKUND District- BHAGALPUR

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1. MOGLI DEVI @ MUNI DEVI Wife of Modo Yadav resident of
Village-Jagarnathpur, P.S. Sajour (Sahkund), District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Shahkund (Sajour) P.S.Case no.54 of 2018 , registered for offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner as per FIR is that they were seen fleeing from the place of occurrence and when the informant went on firing he saw his wife dead there.

Submission of the learned counsel for the petitioner is that there is general allegation against the petitioner and the other accused persons of fleeing from the place of occurrence and in para 18 of the case diary, it has been submitted that one eye witness has disclosed that Sanjay Yadav fired on the deceased



and there is role of the petitioner.

Heard learned A.P.P. , who has opposed the prayer for bail of the petitioner on the ground that from the confessional statement of the co-accused Sanjay Yadav and another accused person it transpired that the petitioner was pulling hair of the deceased at the time of the occurrence. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bhagalpur in connection with Shahkund (Sajour) P.S.Case no.54 of 2018 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.



With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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