

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61282 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- MADHUBAN District- East Champaran

Jang Bahadur Rai Son of Sukai Rai, Resident of Village-Bhagwanpur, Police
Station-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate.
For the informant	:	Mr. Umesh Chandra Verma, Advocate. Ms. Rashmi Jha, Advocate.
		Mr. Abhishek Kumar, Advocate.
For the State	:	Mr. Binod Kumar 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-11-2018 Heard learned counsel for the petitioner, counsel for the
informant and the State.

The petitioner seeks bail in Madhuban P.S. Case No. 43
of 2018 instituted for the offence under Sections 302/34 of the
Indian Penal Code.

Counsel for the petitioner submits that no specific
allegation of overt act is attributed against the petitioner. There is
allegation in the written report that total six accused persons
including petitioner entered into the house of the informant while
she was sleeping with her husband. The accused persons caused
death of her husband by slitting his throat.

The further statement of the informant has been recorded
in paragraph-8 of the case diary wherein she has stated that she saw



this petitioner running away from the house. She has stated that some persons had entered into the house and slit the neck of her husband.

In such circumstances, from the written report and further statement of informant, it appears that no allegation of any specific overt act has been attributed to the petitioner.

Case diary has been received.

Post mortem report of husband of the informant is available in the case diary wherein the Doctor has found one throat cut injury on the neck of the deceased.

Counsel for the informant has appeared and opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 Additional Chief Judicial Magistrate-IV, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 43 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

U		T	
---	--	---	--

(Sanjay Priya, J)

