

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16092 of 2019

Arising Out of PS. Case No.-157 Year-2018 Thana- ISUAPUR District- Saran

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AWADH BIHARI MAHARAJ Son of Late Jai Narayan Maharaj Resident of
Village - Nawada, P.s.- Isuapur, Distt.- Saran

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Harish Kumar, Advocate
For the Opposite Party : Mr.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 20-05-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Isuapur
P. S. Case No. 157 of 2018 registered under Sections 302,
201/34 of the Indian Penal Code.

Learned counsel for the petitioner submitted that
save and except, wild suspicion and hypothetical presumption,
there is no other material to connect the petitioner with the
offence alleged.

Learned counsel for the State submitted that there
is land dispute between the parties and the informant has raised
suspicion that the petitioner might have eliminated the sister of
the informant due to pre-existing dispute.



Learned counsel for the informant submitted that prior to institution of the instant case, the victim had instituted two cases against the petitioner. He also, however, admitted that as far as the instant case is concerned, no one has seen the murder of the victim taking place.

Having regard to the facts and circumstances of the case, in absence of any specific allegation made against the petitioner and the marriage of the victim having taken place 10-12 years ago prior to the present occurrence with the brother of the petitioner, the petitioner, who is reported to be a man of clean antecedent and is in custody since 15.10.2018 is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned SDJM, Chapra, Saran in connection with Isuapur P. S. Case No. 157 of 2018, subject to the following conditions:-

- (a) that the petitioner shall attend court in accordance with the conditions of the bond executed,
- (b) that the petitioner shall not commit an offence similar to the offence of the present case, and



(c) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Ashwani Kumar Singh, J)

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