

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17646 of 2015

Arising Out of PS.Case No. -172 Year- 2014 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Ranjan Sah, Son of Moti Lal Sah Resident of village - Ghiuwadhar, P.S.
Harsidhi, Distt. - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate.

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 23-07-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 304-B, 498-A and 201/34 of the Indian Penal Code and Section 3 and 4 of the Dowry Prohibition Act and that the petitioner is the husband but he was neither named in the F.I.R. nor any material has been found against him to be present when the unfortunate death of his wife has taken place inasmuch as in the statement that has been recorded by the police, all persons have stated that the petitioner, at the time of death of his wife, was working at Assam, this Court, also keeping in view that the specific allegation is only against the father and mother of the petitioner, would be inclined to grant privilege of anticipatory bail to the petitioner.

That being so, if the petitioner, namely, Ranjan Sah surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Harsidhi P.S.Case No. 172 of 2014, G.R. No.

2347 of 2014; subject to the following conditions:

- (i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.
- (iv) That the petitioner will be well represented on each and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

(Mihir Kumar Jha, J)

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