

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36007 of 2015

Arising Out of PS.Case No. -417 Year- 2014 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Ajeet Sah @ Ajeet Kumar Sah Son of Suraj Sah Resident of village -
Dehari, P.S. Dehari, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 24-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

Sima Devi, the daughter of the informant was married
with the petitioner in the year 2010 and on 20.10.2014 the
informant was informed that his daughter is serious and was being
brought to Banaras and then he came and saw the petitioner and
others with the dead body of Sima Devi in the Ambulance and it
is alleged that due to non fulfilment of amount by way of cash and
vehicle she was burnt to death and was trying to take away the
dead body.

Submission is of false implication and that the deceased got burn injury while she was cooking food, there are two children out of wedlock, no demand was ever made and the informant has lodged this false case only with a view to extract the money. The petitioner is suffering in custody since 21.10.2014 having no criminal antecedent. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that wrong information was given to the informant and the petitioner and others were trying to dispose of the dead body on the plea of taking her to Banaras.

In the facts and circumstances, as stated above, considering that the information was given to the informant and further considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner, Ajeet Sah @ Ajeet Kumar Sah, is directed to 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 3rd Additional Sessions Judge, Rohtas, Sasaram in Dehri(T)P.S.Case No. 417 of 2014, subject to the conditions that one of the bailors must be a

near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall also remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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