

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49505 of 2015

Arising Out of PS.Case No. -8 Year- 2014 Thana -CHHATAPUR District- SUPAUL

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1. Ashok Sah Son of Balram Sah Resident of Village - Bhawanipatti, P.S.-
Chhatapur, District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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

3 29-03-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 34 of the I.P.C

Bechani Devi, the daughter of the informant, was
married to the petitioner two years ago and allegedly due to non
fulfillment of demand of dowry by way of cash of Rs. 50,000/-,
motorcycle and bed the petitioner and other in-laws poisoned her
to death.

Submission is of false implication and that due to
some dispute with the family members of the petitioner the wife of
the petitioner consumed poison herself and this fact has come
during investigation in the statement of the witnesses, at the time

of the alleged occurrence the petitioner was not there as he was running a shop at Triveniganj and for that the learned counsel for the petitioner has referred paragraphs- 22, 23, 24 and 25 of the case diary.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, 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 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 S.D.J.M. Supaul in Chhatapur P.S. Case No. 08 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 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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