

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52788 of 2015

Arising Out of PS.Case No. -148 Year- 2011 Thana -BHANGWANPUR HAT District- SIWAN

- =====
1. Upendra Sah son of Rambichari Sah @ Rambichar Sah @ Bichari Sah
 2. Ram Bichari Sah @ Ram Bichar Sah @ Bichari Sah, son of Late Bigu Sah.
- Both resident of village- Sarhari, P.S.- Bhagwanpur, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 01-02-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner seeks bail in connection with
Bhagwanpur P. S. Case 148 of 2011 registered under Sections
304-B and 201/34 of the Indian Penal Code.

It has been contended by learned counsel for the
petitioners that there is no truth behind the allegation made in
the FIR. The marriage had taken place six years prior to the
alleged date of incident. The wife of the petitioner no. 1 was in
habit of fleeing away from her marital home and on the alleged
date of occurrence when she went away out of her own will, the
petitioner no. 1 and his family members were under impression
that she might have gone to her *maike* and, as such, no report
was made either to the police or to the parents of the alleged

victim.

On the other hand, learned counsel for the State has contended that the daughter of the informant was being subjected to cruelty in her marital for non-fulfilment of demand of dowry of Rs.50,000/- and ultimately the husband and his relatives killed and disposed of her dead body without informing the informant.

Be that as it may, regard being had to the gravity of the offence and the allegation made in the FIR, I am not inclined to grant bail to petitioner no. 1 Upendra Sah, the husband of the deceased. Accordingly, the application for bail of the petitioner no. 1 is rejected.

So far as petitioner no. 2 Ram Bichari Sah @ Ram Bichar Sah @ Bichari Sah is concerned, since there is an omnibus allegation against him, he is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in Bhagwanpur P. S. Case No. 148 of 2011.

(Ashwani Kumar Singh, J.)

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