

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41676 of 2016**

Arising Out of PS.Case No. -130 Year- 2014 Thana -CHIRAIYA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. SHIVJI SAH @ SHEOJEE SAH son of Late Radha Sah Resident of  
Village- Barajairam, Police Station- Chiraiya, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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

**ORAL ORDER**

2      05-10-2016

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 offence  
punishable under section 304 (B)/34 of the I.P.C

Ruby Devi, the sister of the informant, was married  
with Kishore Sah, the son of the petitioner, four years ago and  
allegedly due to non fulfillment of demand of dowry by way of  
motorcycle, golden chain, golden ring and cash of Rs. 2,50,000/-  
the husband and other in-laws including the petitioner killed her  
by strangulating her with the rope and putting the cloths on her  
mouth.

Submission is of false implication and that the  
petitioner who is an old father-in-law has no concern with the

family affairs of the deceased and her husband, the petitioner is in custody since 01.05.2016 and the charge sheet has already been submitted, there is no specific allegation against the petitioner, the allegations are general and omnibus in nature, the husband is already in custody and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that 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 A.C.J.M. Sikarhana, Dhaka, East Champaran, Motihari in Chiraiya P.S. Case No. 130 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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