

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22732 of 2016

Arising Out of PS.Case No. -13 Year- 2013 Thana -HARPUR District- MUNGER

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Dharmbeer Sah Son of Late Ram Sah, resident of village- Bel Bihma, P.S.-
Harpur, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Pranav Kumar (App)

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

2 26-05-2016

Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with Harpur
P.S. Case No. 13 of 2013 registered for the offences punishable
under Sections 302 and 201/34 of the Indian Penal Code.

Allegedly, Khushbu Kumari, the daughter of the
informant was married to Surat Sah two and half years ago and
allegedly, the petitioner being *bhaisur* and other co-accused killed
her and made the dead body traceless.

Submission is of false implication and that against
the petitioner, there is no specific allegation, the petitioner is
living separately from the husband of the deceased having no
concern with their family affairs. Without any fault, the petitioner
is suffering in custody since 31.01.2016, as a matter of fact, the
deceased was suffering from jaundice since last six months and

due to that she died, admittedly, the daughter of the informant has not made any complaint to the informant earlier, there is no eye witness of the occurrence, the wife of the petitioner has been allowed bail vide Criminal Misc. No. 52317 of 2013 and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P submits that the petitioner is the husband.

In the facts and circumstances stated above, considering that the chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Munger in connection with Harpur P.S. Case No. 13 of 2013, 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.

(Jitendra Mohan Sharma, J)

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