

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50270 of 2015

Arising Out of PS.Case No. -39 Year- 2015 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Lalbabu Sah s/o Jawahar Sah @ Jamahir Sah resident of Village- Barwa
Bhagwanpur, P.S.- Kundwa Chainpur, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. T.N.Thakur(App)

=====

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

3 03-02-2016 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 304B and 201/34 of the I.P.C.

Rinku Kumari, the daughter of the informant was
married to petitioner in June, 2011 and due to non-fulfillment of
demand of motorcycle she was being tortured by the petitioner and
other in-laws and ultimately, she was strangled to death and
further they obtained signature on plain paper from Binod Sah and
others, the relatives of the informant. It is also claimed that the
petitioner was having illicit relationship with another lady and he
may kill the child also born out of the wedlock.



Submission is of false implication and that there was cordial relation between the petitioner and his wife, no demand was ever made, the wife of the petitioner was suffering from pain in her abdomen and then she was brought before the doctor J.P. Gupta and the son of the informant has talked with the doctor also and the doctor stated that he has given injection etc. and has referred her to Motihari, the doctor has also stated the same thing vide paragraph-48 of the case diary and further local Mukhiya has also stated that the wife of the petitioner died due to pain in her abdomen during treatment vide paragraph-45 of the case diary and as such the petitioner, who is suffering in custody since 30.7.2015, deserves sympathetic consideration to which the learned A.P.P. opposes the prayer for bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering the statement of the local Mukhiya and doctor, 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 S.D.J.M., Sikrahna, DHAKA, East Champaran in connection with Kundwachainpur P.S. case No.39 of 2015, subject to the conditions that one of the bailors must be 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)

N.H./-

U		T	
---	--	---	--