

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12121 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -RUDRAPUR District- MADHUBANI

1. Hari Mohan Jha S/o Late Yugeshwar Jha resident of village - Mahrail,
P.S. - Rudrapur, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Jha
For the Informant : Mr. Shailendra Kr. Jha
For the State : Mr. M. Rab (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 03-05-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. representing the
State.

The petitioner seeks bail in connection with Rudrapur
P.S. Case No. 91 of 2015 registered for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

Bhawana Devi, the sister of the informant was
married to Rajesh Kumar Jha, son of the petitioner on 02.06.2013
and out of the wedlock there is one year aged son and allegedly
due to non-fulfillment of the demand of dowry, by way of cash of
Rs. 5 lac, one Pulser motorcycle and 5 bhar gold ornaments, she
was being tortured and assaulted and ultimately she was killed and

the dead body was also made traceless by the petitioner and other in laws and further son of the deceased is also traceless.

Submission is of false implication and that the petitioner is living separately from his son, having no concern with the deceased and her husband, the petitioner being old father-in-law is in custody since 29.10.2015 and as such he deserves sympathetic consideration to which the learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that on the basis of confessional statement of co-accused Binay Jha, the dead body was recovered and further in the confessional statement of Binay Jha the name of the petitioner has also come. Postmortem report also confirms that the deceased was killed by strangulation.

In the facts and circumstances stated above, considering that the petitioner is the father-in-law, charge sheet has already been submitted and as such considering the detention, 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 like amount each to the satisfaction of Sri M. Mishra, Judicial Magistrate 1st Class, Jhanjharpur, in connection with Rudrapur P.S. Case No.91 of 2015 (G.R. No. 1790 of 2015), subject to 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.)

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