

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49490 of 2015

Arising Out of PS.Case No. -138 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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Daya Nand Sah, Son of Late Jugal Sah, Resident of Village - Charpokhari,
P.S.- Charpokhari, District - Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 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 302 and 201/34 of the I.P.C.

Allegedly, the younger sister of the informant was
married to Gazadhar Sah, the son of the petitioner in the year 2002
and due to non-fulfillment of demand of dowry, she was being
tortured by the petitioner and other in-laws and ultimately, she was
done to death and thereafter, was hanged with rope.

Submission is of false implication and that the
petitioner has got no concern with the family affair of the deceased
and her husband, the petitioner is living separately, he is aged
about 65 years, suffering from several old deceases and is

suffering in custody since 12.5.2015. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. Co-accused Dewanti Devi has already been allowed pre-arrest bail vide Cr. Misc. No.38580 of 2015 by another Co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner is the father-in-law.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Charpokhari P.S. case No.138 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)

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