

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56047 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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Ajay Sah Son of Ramagya Sah, Resident of Village - Bhandar, P.S. -
Pachpakari (Dhaka), District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. B.M.Pd.Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 10-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Dhaka P.S.
Case No. 70 of 2014 registered for the offences punishable under
Sections 304B/201, 34 of the Indian Penal Code.

The daughter of the informant was married to
petitioner on 12.05.2011 and thereafter, on 28.04.2014 in the night
the petitioner and other co-accused killed the daughter of the
informant and cremated the dead body.

Submission is of false implication, the petitioner was
leading happy conjugal life with his wife, there was cordial
relation between the petitioner and his wife, the wife of the
petitioner died due to illness. During investigation it has come that
the wife of the petitioner has consumed poison which is not a fact,

First Information Report has been lodged after much delay on 02.05.2014 for the occurrence of 28.08.2014, petitioner has been implicated by the informant only with a view to extract money, by lodging this false case resulting the petitioner is suffering in custody since 11.02.2015. There is no allegation for demanding dowry and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner is husband.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 S.D.J.M., Shikarahana at Dhaka, East Champaran in connection with Dhaka P.S. Case No. 70 of 2014 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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