

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49171 of 2016

Arising Out of PS.Case No. -236 Year- 2015 Thana -KUDHNI District- MUZAFFARPUR

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1. Radhe Shyam Sah, son of Late Deepa Sah, Resident of Village-
Raghopur Paharpur, P.S.- Jurawanpur, District- Vaishali and at present
resident of Village- Bara Sumera, P.S.- Kudhani (Turki- O.P.), District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Opposite Party/s : Mr. Dr. Rabindra Kumar
For the informant : Mr. Kaushal Kishore.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Diary in the present case was called for, which has since
been received.

The petitioner is in custody since 21.06.2016 in
connection with Kudhani (Turki) P.S. Case No. 236 of 2015,
(G.R. No. 1588/15) registered for offences punishable under
Section 304(B)/34 of the Indian Penal Code.

The present case has been filed under Section 304(B)/34
of the Indian Penal Code against the petitioner, who is the father-
in-law of the deceased.

It has been submitted on behalf of the petitioner that false



allegation has been leveled against the petitioner and he has no role to play in the said incident as he was not present at the village on the alleged date of occurrence. Learned counsel for the petitioner has stated on oath in para 13 of the petition, that the deceased has committed suicide, which is evident from paragraph 11 and 12 of the case diary, wherein it has come that the door was locked from inside. Learned counsel for the petitioner further submitted that since the petitioner has been languishing in jail custody since 21.06.2016, he may be allowed the privilege of regular bail.

On the other hand, learned counsel for the State opposed the prayer for bail by submitting that the accused person was continuously torturing the deceased for demand of dowry and when their wishes were not fulfilled, the deceased was strangled to death by a belt, which was found inside the house.

Having heard both the parties and in view of the fact that the petitioner is father-in-law of the deceased and he was not present in the house on the alleged date of occurrence and also the fact that he has been in judicial custody since 21.06.2016, let the petitioner above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000 (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri. S.K. Jha, learned



Judicial Magistrate Ist Class, Muzaffarpur in connection with
Kudhani (Turki) P.S. Case No. 236 of 2015 (G.R. No. 1588/15).

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(Vinod Kumar Sinha, J)

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