

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52599 of 2015**

Arising Out of PS.Case No. -221 Year- 2014 Thana -TRIVENIGANJ District- SUPAUL

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1. Nunulal Sah Son of Tilay Sah R/o Village Mirjawa, P.S. Triveniganj,  
District Supaul

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Arun Kr.Panday(App)

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

**ORAL ORDER**

4 20-04-2016

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 304 B, 201 and 34 of the I.P.C

Babita Kumari, the daughter of the informant, was  
married to the petitioner about three years ago and allegedly due to  
non fulfillment of demand of dowry by way of motorcycle and one  
she-buffalo she was being tortured by the petitioner and other in-  
laws and ultimately she was killed and her dead body was also  
burnt.

Submission is of false implication and that nothing  
was ever demanded by the petitioner or anybody, the First  
Information Report has been lodged after much delay on  
24.10.2014 though, as alleged, the informant got knowledge about  
the occurrence on 07.10.2014 itself, as a matter of fact, the wife of

the petitioner died due to illness and during her cremation her mother (informant) was also present and this fact has come during investigation vide paragraphs- 9, 10, 11, 47 and 48 of the case diary, further the informant after realizing the truth has filed a petition to this effect in the learned court below also.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances as stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge, Supaul in Sessions Trial No. 121 of 2015 arising out of Triveniganj P.S. Case No. 221 of 2014, subject to the conditions that one of the bailors must be a 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)**

Abhay/-

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