

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10668 of 2017

Arising Out of PS.Case No. -48 Year- 2011 Thana -SITAMARHI District- SITAMARHI

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Ram Ekbal Sah S/o Late Suraj Sah R/o Village - Punaupodwara, P.S. +
District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-03-2017 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph 2 of this application

stating therein that anticipatory bail application of the

petitioner was moved before this Court, which was dismissed

for default.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner, who is father-in-law of the deceased,

Kanchan Kumari, is languishing in judicial custody since

04.12.2016 in connection with Sitamarhi P.S. Case No. 48 of

2011, Trial No. 2055/16 registered for the offence punishable

under Sections 302, 304(B), 498(A) and 120(B) of the Indian

Penal Code and Sections 3/ 4 of the Dowry Prohibition Act.



The allegation against the accused persons, including the petitioner, is that, after marriage of the daughter of the complainant-informant with Sanjeev Kumar, they started demanding dowry and on non-fulfilment of the demand of dowry, daughter of the complainant-informant has been killed.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the complaint case has been lodged after one year and nine months and no plausible explanation has been given for such delay, which itself creates a shadow of doubt on the entire prosecution case. He further submits that the husband of the deceased has since been granted the privilege of bail by a Coordinate Bench of this Court in Cr. Misc. No. 5751 of 2017 on 15.02.2017.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs.



ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi P.S. Case No. 48 of 2011.

(Nilu Agrawal, J.)

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