

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28413 of 2017

Arising Out of PS.Case No. -6 Year- 2016 Thana -SARAIYA District- MUZAFFARPUR

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1. Subodh Roy @ Subodh Kumar Roy, son of Ramesh Roy, resident of
Village- Parahia, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Rajesh Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Saraiya P.S.
Case No. 06/2016 for offences punishable under Sections 304-B,
201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Saroj Devi was married to the petitioner and has
been killed by the petitioner and in-laws and her dead body was
cremated.

It has been submitted by the learned counsel for the
petitioner that he is innocent, no case of demand of dowry is made
out, as is evident from the First Information Report and no date of



marriage is given, as such, Section 304-B of the IPC will not be applicable. He further submits that no one has seen the occurrence and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur, in connection with Saraiya P.S. Case No. 06/2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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