

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59913 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -BHAPATIYAH I District- SUPAUL

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Hari Narain Sah, Son of Late Ayodhi Sah, Resident of Village-
Bishanpur, Police Station- Bhaptiyahi, District- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 12-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 14.09.2017 in connection with Bhaptiyahi P.S. Case No. 39 of 2017/G.R. No. 960 of 2017 for the offences alleged under Sections 304(B), 201 and 120(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the father-in-law of the deceased lady. There is inordinate delay in instituting the F.I.R. on 05.05.2017 for the alleged occurrence of 29.04.2017 which itself casts doubt about the veracity of the accusations. The petitioner was separate in mess and business from his son and his family and hence nothing to do with their day to day affairs. Charge sheet has already been submitted and there is no chance of tampering with the evidence. The petitioner claims clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul, in connection with Bhaptiyahi P.S. Case No. 39 of 2017/ G.R. No. 960 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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