

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5751 of 2017

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

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1. Sanjeev Kumar S/o Ramikwal Sah R/o Village-Punaura Kodwara, P.S. + District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-02-2017 The petitioner is in custody since 29.05.2015 in connection with Sitamarhi P.S. Case No. 48 of 2011, registered for offences punishable under Sections 302 and 304(B), 498A and 120B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that in this case there is delay of one year and nine months in lodging the present case against the petitioner, which itself casts a shadow of doubt in the entire prosecution story and petitioner has been falsely implicated in this case only because he happens to be the husband of the deceased and he has been languishing in judicial custody since 29.05.2015.



Heard learned A.P.P. also.

Having heard both sides, in view of the fact that in this case an inordinate delay of one year and nine months for lodging the present case, for which no satisfactory explanation has been given and the petitioner has been in judicial custody since 29.05.2015, as such, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No. 48 of 2011, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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