

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55767 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

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Nandu Sah, Son of Late Jagdish Sah, resident of Village- Mahamada
Kharwa Tola, P.S.- Baruraj, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party : Mr. Sri Ashok Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Baruraj
P.S Case No. 43 of 2016 registered for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

Allegedly, Soni Kumari the daughter of the
informant was married to Mukesh Sah, the son of the petitioner in
the year 2009, but she was being tortured for non-fulfillment of
demand of dowry and ultimately she was killed by her husband
and other in-laws including the petitioner and her dead body was
also cremated.

Submission is of false implication and that the
petitioner is old father-in-law, he is living separately since long



from the deceased and her husband. There is no specific allegation against the petitioner, all the allegations are general and omnibus in nature and, as such, petitioner deserves sympathetic consideration as he is in custody since 29.08.2016.

Learned A.P.P. submits that the petitioner is named in the F.I.R. and he is the father-in-law.

In the facts and circumstances stated above, considering that charge sheet has also been submitted and there is no chace of tampering with the prosecution evidence, petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Shri A.K. Tiwary, Judicial Magistrate 1st Class, Muzaffarpur in connection with Baruraj P.S. Case No. 43 of 2016, 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.)

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