

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15969 of 2017

Arising Out of PS.Case No. -323 Year- 2015 Thana -BALIA District- BEGUSARAI

=====

Sanjeet Sah, S/o Bisho Sah, R/o Vill- Paharpur, P.S.- Ballia, Dist- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Shubhesh Pandey, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 04-07-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Ballia P.S Case No. 323 of 2015 registered for the offences punishable under Sections 304(B), 120(B), 201/34 of the Indian Penal Code.

Allegedly, Babita Devi the daughter of the informant was married to the petitioner two years ago and after six months of marriage the petitioner and other in-laws started demanding she buffalo and due to non-fulfillment of demand of dowry she was being tortured and assaulted and ultimately she was killed by the petitioner and other in-laws by administering poison and her dead body was cremated without informing informant.

Submission is of false implication and that there is



no eye-witness of the occurrence, there is no specific allegation against the petitioner rather all the allegations are general and omnibus. The petitioner has voluntarily surrendered on 23.06.2016 and since then he is in custody, there is no chance of tampering with the persecution evidence. During investigation, the Supervising Officer vide para 39 of the case diary, has found that the wife of the petitioner consumed Sulfas herself, resulting, she was brought for treatment and during treatment at hospital she died and her cremation was done and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that there is no chance of tampering with the prosecution evidence and, as such, 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 learned Chief Judicial Magistrate, Begusarai, in connection with Ballia P.S. Case No. 323 of 2015, 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.)

Rajiv/-

U		T	
---	--	---	--

