

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19199 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -KODHA District- KATIHAR

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1. Sonu Kumar Roy, son of Anoj Roy, resident of Village- Pirganj, P.S.-
Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 07-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since

08.12.2016 in connection with Korha P.S. Case No. 140/16, for

offences punishable under Sections 304-B/34 of the Indian Penal

Code.

The prosecution case, as lodged by the informant,

is that his younger daughter Monika Kumari was married to the

petitioner six months back out of love affair and was subjected to

torture and due to non-fulfillment of demand of motorcycle she

was burnt to death by the petitioner and his family members.

It has been submitted by the learned counsel for



the petitioner that he is innocent, was keeping the daughter of the informant with full dignity and honour and has been falsely implicated in the aforesaid case. He submits that independent witnesses, as per paras 38 to 40 of the case diary, have not named the petitioner in the commission of alleged offence, although, they have stated that smoke was coming out from the room in which the deceased was burnt, but it has also been stated by the witnesses that the petitioner was not at the place of occurrence and he maintained cordial relationship with the deceased as husband and wife.

However, learned APP for the State submits that the petitioner is the husband and named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, 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 Sessions Judge, Katihar, in connection with Sessions Trial No. 07/2017, arising out of Korha P.S. Case No. 140/2016, subject to the condition that one of the bailors would be a close relative of the petitioner, who would have sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship



with the petitioner and that the petitioner shall appear before the learned court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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