

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32875 of 2017

Arising Out of PS.Case No. -174 Year- 2016 Thana -WARISNAGAR District- SAMASTIPUR

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1. Mithun Sah S/o Raghu Nath Sah, Resident of Village- Balahi, P.S.
Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-07-2017

This application is for grant of regular bail in connection with Warisnagar P.S. Case No. 174 of 2016 registered for the offence(s) under section(s) 120(B), 302/34 of the Indian Penal Code.

The petitioner is not named in the FIR. The case is of section 302 of the Indian Penal Code.

Submission, as per the FIR, is that the son of the informant had gone to his *sasural* there his dead body was found and on that basis, the petitioner and others have been made accused

It has been submitted on behalf of petitioner that in this case, wife of the deceased and other co-accused have already granted bail by different coordinate Benches of this Court, vide



order dated 14.02.2017 and 28.06.2017 passed in Criminal Miscellaneous Nos. 6960 and 20161 of 2017 whereas the petitioner is the village and only allegation against him is that he was the Agua in the marriage and except that, there is nothing against him and he is in custody for three months.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the fact that other co-accused, having similar allegation, have already been granted bail by this Court, let the petitioner, above named, be enlarge on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 174 of 2016, 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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