

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30880 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Bashistha @ Bashistha Mukhiya Son of Pramod Nishad Resident of
Village- Bairiya, Police Station- Bairiya, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar No.-7, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 27.04.2017
in connection with Bairiya P.S. Case No. 147 of 2016 for the
offences instituted under Sections 498(A) and 304(B)/34 of the
IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the daughter of the
informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 27.04.2017 and the charge sheet has
been submitted in the present case. He has got no criminal



antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due to petty family dispute. The alleged date of occurrence is 17.06.2016 as to when F.I.R. has been instituted on 08.07.2016. Delay has not been explained by the prosecution. There is no eye witness to the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. West Champaran at Bettiah in connection with Bairiya P.S. Case No. 147/2016.

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(Sudhir Singh, J)

