

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18596 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -BELCHAR District-
WESTCHAMPARAN(BETTIAH)

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1. Bhoj Sah, Son of Sahdeo Sah, Resident of Village- Awsanpur, P.S.-
Balthar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tara Devi, Wife of Bhoj Sah, Daughter of Asarfi Sah, Resident of
Village- Chhota Dhankatua, P.S.- Balthar, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Balthar
P.S. Case No. 105 of 2016 registered for the offences punishable
under Sections 498 (A)/34 of the Indian Penal Code and Sections
3 and 4 of the Dowry Prohibition Act.

The informant Tara Devi was married to the petitioner
five years ago and after the marriage petitioner kept the informant
properly for some time but thereafter she was being tortured for
non-fulfillment of demand of dowry. The petitioner and others
tried to kill her by administering poison. The informant claims to



be pregnant of six months and in that condition the petitioner and others ousted her from in-laws house after assaulting.

Submission is of false implication and that the petitioner has filed divorce case on the ground of adultery. Earlier the informant has filed complaint case no. 1025 (C) of 2014 and thereafter this false case has been filed. The petitioner being the husband is being harassed and, as such, the petitioner suffering in custody since 17.12.2016, deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has committed cruelty in several ways.

In the facts and circumstances stated above considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the above named petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran in connection with Balthar P.S. Case No. 105 of 2016 subject to the conditions that one of the bailors must be 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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