

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7975 of 2017

Arising Out of PS.Case No. -129 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

=====

Prakash Jha, Son of Madan Jha, resident of Village - Rupauli Khurd, P.S.
Bibhutipur, District - Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate.
Mr. Pravin Kumar, Advocate.
Mr. Shashank Shekhar, Advocate.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks bail in connection with
Bibhutipur P.S. Case No. 129 of 2016 registered for the offences
punishable under Sections 341, 323, 324, 307, 304B and 34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition
Act.

It has been submitted on behalf of the petitioner that
the petitioner has been falsely implicated in the case as son of the
deceased had stated in his statement before the police which will
appear from para-5 of the case diary that the deceased had set
herself on fire and at that time she tied her son and the daughter by
rope and the statement of other witnesses also shows that the



villagers tried to save the life of the deceased by extinguishing the fire and the statement of I.O. in Para-5 also shows that at the place of occurrence doors and windows were found broken. The petitioner is in custody since 29.08.2016.

Heard the learned APP also. Learned APP could not controvert the submission of the learned counsel for the petitioner, however stated that as per the post mortem report, it has come that she died due to burn injury.

Having heard both sides, in view of the facts and circumstances stated above and as the petitioner is in custody since 29.08.2016, let the petitioner above named be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera in connection with Bibhutipur P.S. Case No. 129 of 2016 with 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 shall cooperate in the disposal of the 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 reasons, the prosecution is free to move for cancellation of his bail.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

Mishra/-

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

