

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18660 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Kausher Alam Son of Ahamad Ansari Ansari, Resident of village -
Badhaiya Tola, Police Station Majhawaliya, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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

ORAL ORDER

3 22-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Majhauria
P.S. Case No. 19 of 2016 registered for the offences punishable
under Sections 498A, 302, 201, 120B of the Indian Penal Code.

Allegedly, the petitioner being the husband of the
daughter of the informant due to non-fulfillment of demand by
way of cash of Rs. 1,00,000/- and motorcycle started torturing her
with the help of other co-accused and ultimately killed her and
made the dead body traceless.

Submission is of false implication and that on the basis of
complaint case this case has been lodged, the marriage was
performed 8 years ago, out of the wedlock there are two children,
the petitioner has also lodged complaint case against his in-laws as



they have made the wife of the petitioner traceless vide Complaint Case No. 66 (C) of 2016, the police after completing investigation has wrongly submitted chargesheet under Section 364/34 IPC against the petitioner and others, two co-accused mother-in-law and brother of Nandoi of the deceased have already been allowed bail by different co-ordinate Benches of this Court, the petitioner is suffering in custody since 24.08.2016, there is no chance of tampering with prosecution evidence, there is counter case also and as such the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence, the petitioner above named 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 Sri S. D. Bhartri, J. M. Ist Class, Bettiah (West Champaran) in connection with Majhauilya P.S. Case No. 19 of 2016, subject to the conditions that one of the bailors must be a 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.

avin/-

(Jitendra Mohan Sharma, J)

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