

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29003 of 2017

Arising Out of PS.Case No. -5 Year- 2014 Thana -SAKRI District- MADHUBANI

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1. Indra Jeet Kumar Sah Son of Late Sato Sah, Resident of Mohalla- Sibotar Tola, P.S.- Sakari, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the informant Ms. Kusum Rani

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 04-08-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner is languishing in custody since 18.04.2017 in connection with Sakari P.S. Case No. 05 of 2014, G.R. No. 128 of 2014 for offences punishable under Section 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he got information about death of his daughter, he reached her matrimonial house and found his daughter, Gayatri Devi dead and his *Nati*, Aakash Kumar stated that when he returned from coaching in the morning, he found his mother hanging from the ceiling fan, and with the help of mother-in-law, Urmila Devi and the petitioner who is *devar* of the deceased, the



body was taken down on the bed. The informant stated that the petitioner along with his mother and two other accused persons are involved in killing his daughter.

It has been submitted by the learned counsel for the petitioner that he is the *dever* of the deceased, no overt act has been committed by him and he has been falsely implicated only on the ground of suspicion. He submits that with the help of his nephew, son of the deceased and mother, he got the body down. The deceased had committed suicide. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering the prosecution witnesses by the petitioner.

However, learned counsel for the informant submits that the husband of the deceased died in the year 2009 and there was fight between the petitioner and mother-in-law of the deceased with the deceased over property and the petitioner has killed the informant's daughter hence, vehemently opposes the prayer of bail.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail **after completion of one year in custody** on furnishing



bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani , in connection with Sakari P.S. Case No. 05 of 2014, G.R. No. 128 of 2014 subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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