

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36066 of 2017

Arising Out of PS.Case No. -184 Year- 2016 Thana -DARAUNDHA District- SIWAN

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1. AMIT KUMAR SAH @ GOLU,
2. Mukesh Sah,
Both son of Ganpat Sah, resident of Village- Madari Chaok Amruwa, P.S.-
Daraunda, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Asharaf Ansari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 31-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
18.04.2017 in connection with Daronda P.S. Case No. 184/2016
for offences punishable under Sections 328, 304-B/34, 120-B of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Rina Devi was married to petitioner no. 1 four
months back and due to non-fulfillment of demand of dowry, she
has been administered poison and killed.

It has been submitted by the learned counsel for the
petitioners that they are innocent and have been falsely implicated



in the aforesaid case. He submits that mother of the deceased has filed an affidavit that due to mistake of fact father of the deceased had lodged the First Information Report, the deceased was suffering from mental disorder and has taken poison by herself. He further submits that the witnesses are interested witnesses who have supported the prosecution case, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He further submits that petitioner no. 2 is the brother-in-law of the deceased and he has also been roped in.

However, learned APP for the State opposes the prayer for bail stating therein that the witnesses have supported the prosecution story.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-XI, Siwan, in connection with Daronda P.S. Case No. 184/2016, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioners having sufficient immovable property, who



will file an affidavit stating his relationship with the petitioners.

- (ii) Petitioners will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of their bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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