

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.56610 of 2018**

Arising Out of PS. Case No.-988 Year-2016 Thana- SAHARSA District- Saharsa

Rajesh Kumar Sah, Son of Deo Narain Sah, Resident of Village- Gandhi Path, Saharsa, Police Station and District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Sri Mustaque Alam

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2      06-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Saharsa P.S. Case No. 988 of 2016** registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Allegation against other co-accused is of killing the Natini of the Informant by setting her ablaze due to non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is not named in the FIR and has committed no offence and has been falsely implicated in this case. Nothing has been alleged against him. Similarly, situated co-accused person has been granted anticipatory bail by a co-ordinate bench of this Court vide order dated 20.09.2017 in Criminal Miscellaneous No. 43000 of 2017. Petitioner has got no criminal antecedent



and is in custody since 20.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Saharsa** in connection with **Saharsa P.S. Case No. 988 of 2016**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(S. Kumar, J)**

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