

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18345 of 2018

Arising Out of PS.Case No. -116 Year- 2017 Thana -SAHIYARA District- SITAMARHI

=====

1. Khakhanu Baitha @ Khakhan Baith Son of Late Ram Ekbal Baitha,
Resident of Village-Sahiyara, P.S.-Sahiyara, District-Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Sahiyara P.S.Case No. 116 of 2017 registered under Sections
304-B/120-B and 201/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that from the First Information Report it would be
manifest that the marriage had taken place more than seven years
ago and there was no previous complaint regarding demand of
dowry etc. It is further submitted that the petitioner is the father-
in-law and he was living separately from his son. It is also
submitted that four other co-accused, namely, Rakesh Baitha,
Vinay Baitha, Akshaya Baitha and Sushila Devi having identical



allegation have already been granted pre-arrest bail by a Bench of this Court vide order dated 13.02.2018 passed in Cr.Misc. No. 3247 of 2018.

Learned counsel for the State opposed the application for grant of pre-arrest bail of the petitioner.

Considering the submissions made above, since the other co-accused having identical allegation have already been granted pre-arrest bail by a Bench of this Court, in order to maintain consistency, I deem it fit and proper that the petitioner be also granted the privilege of pre-arrest bail. Accordingly, in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sahiyara P.S.Case No. 116 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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

