

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62510 of 2018

Arising Out of PS. Case No.-54 Year-2017 Thana- GOPALPUR District- West Champaran

Harendra Das S/o Raghunath Das, Resident of Village- Dukhichhapar, P.S.
Gopalpur, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Sri Satyavarat Verma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with S.Tr. No. 373 of 2018 (arising out of Gopalpur P.S. Case No. 54 of 2017 registered for the offence punishable under Sections 120(B), 302, 201 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that the marriage of his daughter Sarita Devi was solemnized with Harendra Das (petitioner) 17 years before and four children were also born from the said wedlock, after marriage she was tortured by her in laws including petitioner. On 06.05.2017 at 3.00 PM the petitioner and other co-accused killed his daughter by pressing her neck and were burning her dead body thereafter he reached there and brought half burnt dead body of his daughter and submitted



written report.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that marriage of his daughter was solemnized before 17 years and out of their wedlock four children were also born. Case has been instituted on suspicion only. Deceased died her natural death due to brain hemorrhage or cardiac arrest. There is no eye-witness of the occurrence. Petitioner has no criminal antecedent and he is in custody since 05.06.2017.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge, F.T.C.-IIIrd, Bettiah, West Champaran, in connection with S.Tr. No. 373 of 2018 (arising out of Gopalpur P.S. Case No. 54 of 2017 subject to the conditions that:-

- (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 sufficient reason the trial court will be at liberty 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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