

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11397 of 2018

Arising Out of PS.Case No. -84 Year- 2017 Thana -PALANWA District- EASTCHAMPARAN
(MOTIHARI)

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Biltu Sah, S/o Prakash Sah, Resident of Jagdhar, P.S. Palanwa, District East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 07-09-2018

Heard learned counsel for the petitioner.

Petitioner apprehends his arrest in connection with Palanwa P.S.Case No. 84 of 2017 registered for the offences punishable under Sections 304B, 201 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he killed his wife.

Submission of learned counsel for the petitioner is that he has taken his wife to the hospital for treatment and during treatment she died and there is delay of 59 days in lodging of FIR and when the ulterior motive of the informant was not fulfilled, the present case has been filed. Moreover, main allegation of killing the deceased is against her mother-in-law and Nanad.

Heard learned APP also.

Having heard both sides and in the facts and



circumstances, let the petitioner, named above, surrender in the court below within a period of six weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, in connection with Palanwa P.S.Case No. 84 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned. Further condition is that petitioner has to co-operate in investigation and appear before the Investigating Officer as and when required, otherwise his bail bond shall be cancelled. It is made clear that during investigation if any incriminating material has come against the petitioner, the prosecution is given liberty to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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