

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11285 of 2018

Arising Out of PS.Case No. -375 Year- 2017 Thana -MAJORGANJ District- SITAMARHI

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Bajrang Jha, Son of Late Mahendra Jha, Resident of Village-
Raghunathpur, P.S.- Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Tiwary

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Majorganj P.S.
Case No. 375 of 2017 for offences punishable under Sections
302/201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter Bibha Devi was married to the petitioner 13
years back and out of the wedlock three children were born. It is
alleged that on several occasions the petitioner and his family
members used to pressurize his deceased daughter for bringing
dowry or getting some land in his favour and on 8.09.2017, they
have killed the informant's daughter and disposed of dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent, the deceased lady suffered from severe stomach ache and while she was being taken to the hospital she died and with the help of villagers her dead body was cremated which has been supported by the two sons of the deceased and sister of the deceased in paragraph-8, 9 and 10 of the case diary. He submits that even the co-villagers who live near the house of the petitioner have not supported the prosecution case. He submits that it was case of greed of the informant who wanted some land in his favour from the petitioner-the husband that a false case has been instituted. It is further submitted that the petitioner has three minor children to look after and undertakes to cooperate in the investigation and not tamper with the evidence or witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Majorganj P.S. Case No. 375 of 2017, subject to the conditions that:



- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner 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 his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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