

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42688 of 2018

Arising Out of PS.Case No. -295 Year- 2013 Thana -PUPRI District- SITAMARHI

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1. Vijay Sah, Son of Raghunath Sah, Resident of Village- Garha, P.S.-
Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Pupri P.S.Case no.295 of 2013, registered for offences punishable
under Sections 304(B)/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be *Dewar*
of the deceased, is that he set the deceased on fire.

Submission of the learned counsel for the petitioner is that
only suspicion has been raised against the petitioner that he set the
deceased on fire and from the case diary it appears that there is no
eye witness to the occurrence and the allegation of demand of
dowry and other allegations are general in nature.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Pupri, Sitamarhi in connection with Pupri P.S.Case No.295 of 2013, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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