

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9234 of 2019

Arising Out of PS. Case No.-100 Year-2018 Thana- SATHI District- West Champaran

ALI HASSAN MIAN Son of Late Halдар Mian Resident of Village-
Lachhnauta, Tiwari Tola, P.S.- Sathi, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar Singh

For the Opposite Party/s : Mr.Kanhaiya Kishore (App100)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Sathi P.S. Case No. 100 of 2018 registered for the offence punishable under Sections 304(B), 201, 34 of the Indian Penal Code.

Informant is the father of deceased, who in his written complaint has stated that his daughter was married to son of petitioner about 12 years earlier but she was being tortured for non-fulfillment of demand of a motorcycle and a buffalo. Informant has further alleged that on 15.06.2018 he received an information that his daughter has been killed and her dead body has been disposed by petitioner and other family members. Thereafter, the informant went to the house of



petitioner and found that all the accused persons have escaped from there.

It has been submitted on behalf of the petitioner that petitioner is father in law. As per the FIR, dowry demand of a motorcycle and a buffalo after 12 years of marriage seems to be unbelievable, hence no case under Section 304(B) is made out against petitioner. It has been further submitted that daughter of informant died natural death and on information informant came and participated in her funeral. Similarly placed co-accused, namely, Naginiya Khatoon has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 13.02.2019 passed in Cr. Misc. No. 8269 of 2019. Petitioner has no criminal antecedent and he is in custody since 15.09.2018.

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 Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Sathi P.S. Case No. 100 of 2018 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 properly represented 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)

veena/-

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

