

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79663 of 2018

Arising Out of PS. Case No.-211 Year-2018 Thana- BIHARIGANJ District- Madhepura

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Arun Sah @ Lelhu Sah @ Lelhoo Sah, S/o Ramu Sah, R/v-Bhawanipur, Sudama Nagar, Mushari Tola (Tol) Ward No.08, P.S-Bhawanipur, Distt.-Purnea (wrongly mentioned District's name Madhepura instead of Purnea in the Top of impugned order)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 25-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bihariganj P.S. Case No. **211/2018** registered for the offence punishable under Sections 302, 120(B), 34 of the Indian Penal Code.

Informant is wife of the deceased who has stated in the written complaint that she along with the deceased Punit Yadav has solemnized inter caste marriage on 06.12.2016 against the wishes of her family members. It has further been alleged that thereafter, she was being threatened of dire consequences and on 31.08.2018, her husband who used to run the tempo had gone with reserve tempo, however, thereafter, he did not return and she suspected that out of vengeance and grudge of inter caste



marriage, her family members have killed her husband.

It has been submitted on behalf of the petitioner that informant has named all the family members as accused and petitioner is father of the informant and has been made accused only on the basis of suspicion and misunderstanding. Petitioner has got no criminal antecedent and is in custody since 03.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned J.M., 1st Class, Uda-Kishunganj, Madhepura in connection with Bihariganj P.S. Case No. **211/2018**, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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