

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.28074 of 2019

Arising Out of PS. Case No.-364 Year-2015 Thana- MAJHAULIA District- West Champaran

Binod Sah Son of Late Nathuni Sah, Resident of Village Basra, P.S.
majhauria, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 17-08-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with
Majhauria P. S. Case No. 364 of 2015 dated 15.07.2015
instituted for the offence under Sections 302, 201 and 34 of
the Indian Penal Code.

The father of the deceased has alleged in the F.I.R.
that the husband of the deceased informed him on telephone



that his family members are assaulting the deceased. On this information, the informant came to the matrimonial home of the deceased but was made to understand that the deceased had died and was cremated.

Learned counsel for the petitioner has submitted that the deceased was married to her husband about 13 years ago and her husband always remained outside the village home. There is a family dispute for property and therefore, the death of the deceased has been taken as an opportunity for her husband to have this case filed by the father of the deceased.

Considering this aspect of the matter, the mother and wife of the petitioner have been granted bail by this Court.

The petitioner is the elder brother of the husband of the deceased. There is a general and omnibus allegation of his having taken part in the assault which led to the death of the deceased. He is in custody since 03.09.2018.

Considering the aforesaid facts, the petitioner, above-named, is directed to be released on bail on his



furnishing bail bonds in the sum of Rs. 10,000 /- (Ten
Thousand) with two sureties of the like amount each to the
satisfaction of the learned Chief Judicial Magistrate, West
Champaran, Bettiah in connection with Manjhaulia P. S. Case
No. 364 of 2015.

(Ashutosh Kumar, J)

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