

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31104 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- BELSAND District- Sitamarhi

NABENDU KUMAR VATS, son of Shesh Kumar Singh, resident of village Manchi, P. S. Belsand, Dist. Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 53207 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- BELSAND District- Sitamarhi

ASHUTOSH KUMAR VATSA @ SONA @ ASHUTOSH KUMAR VAS, son of Shesh Kumar Singh, resident of village Manchi, P.S. Belsand, Dist. Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 31104 of 2019)

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

(In CRIMINAL MISCELLANEOUS No. 53207 of 2019)

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

For the Informant : Mr. Alok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 26-08-2019 Since both the cases arise out of the same P.S. case number, they have been taken up together for disposal. In Cr.Misc.No. 31104 of 2019 petitioner happens to be husband and in Cr.Misc.No. 53207 of 2019 petitioner happens to be Dewar of the deceased.



Petitioners seek bail in anticipation of their arrest in connection with Belsand P.S. Case No. 24 of 2019 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Prosecution case is that daughter of the informant was subjected to cruelty and torture with respect to demand of dowry and ultimately she was killed and her dead body was disposed of in suspicious manner.

Submission of learned counsel for the petitioners in both the cases is that the statement of villagers has come during investigation that she hanged herself and her dead body was recovered by breaking the door and on the pressure of the villagers her dead body was cremated, by that time when informant and police reached there, as such petitioners have falsely been implicated in this case. Further submission is that so far petitioner Ashutosh Kumar is concerned, except that he has demanded Rs.5 lac there is no other allegation against him.

Heard learned APP and learned counsel for the informant stating that according to prosecution she hanged herself but no information was given to police or the family members of the deceased and without information they have cremated the dead body when police arrived there.



In view of above facts and circumstances, let petitioner in Cr.Misc.No. 53207 of 2019, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Sitamarhi, in connection with Belsand P.S. Case No. 24 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that he has to co-operate in the investigation.

So far petitioner in Cr.Misc.No. 31104 of 2019 is concerned, prayer for anticipatory bail is rejected. He may surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, both the applications stand disposed of.

(Vinod Kumar Sinha, J)

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