

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38125 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- PIYAR District- Muzaffarpur

UPENDRA SAH Son of Laxman Sah Resident of Village - Baidnathpur
Simra, P.S.- Pear (Piar), District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Kumari Vandana, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Pear (Piar) P.S. Case No. 67 of 2018, registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

Allegation against the petitioner as per the written report is that petitioner who happens to be the husband of the deceased and other accused persons were demanded motorcycle from the daughter of the informant in dowry for that she was tortured and on information informant came to her matrimonial house where he found her almost in dead condition and he found there was wounds mark on her body. It is alleged that informant and his relatives were confined in a room but after sometimes the villagers came there and released them from their confinement. Thereafter he has taken his daughter to



Muzaffarpur for treatment. Thereafter he brought her daughter for his house but she was taken by the accused persons to her matrimonial house and he was not allowed to meet her and after sometimes he knew that her daughter was killed by the accused persons due to non-fulfillment of demand of dowry.

Submission of the learned counsel for the petitioner submitted that as a matter of fact, she was suffering from some disease and petitioner and his family got her treated in Prashant Memorial Charitable Hospital, Muzaffarpur but during treating she died.

Heard learned A.P.P. also.

Having heard both sides, and perused the case diary. The witnesses in paragraph 7, 8 and 9 of the case diary stated that deceased was suffering from disease.

In view of the above facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of Smt. Romi Kumari the learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Pear (Piar) P.S. Case No. 67 of 2018 subject to the condition 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 immovable property within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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