

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70561 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- ANGARGHAT District- Samastipur

1. Solendra Sah @ Surendra Sah and Anr Son of late Jungali Sah@ late Jangali Sah
2. Naresh Sah Son of Solendra Sah@ Surendra Sah
Both resident of Village- Supaul Ujiyarpur, P.S. Angarghat District Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioner no.2, Naresh Sah, being the husband of the daughter of the informant, whereas, petitioner no.1, being the father of petitioner no.1, are languishing in custody since 27.07.2018 and 10.08.2018 respectively in a case registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report dated 13.04.2018 submitted by Rama Sah to the Station House Officer, Angarghat Police Station is to the effect that the informant's daughter, namely Moni Kumari was



married with petitioner no.2 about two years prior to lodging of the present case, but after six months of the marriage, torture was inflicted upon the daughter of the informant for non-fulfillment of further dowry demand. On 13.04.2018, an information was received by the informant that her daughter has been killed by her in-laws people by causing burn injuries.

It is submitted by learned counsel for the petitioners that in fact the victim tried to commit suicide and medical assistance was given to her. It is further submitted that subsequently, the informant has retracted from the initial version and has filed a petition to that effect before the learned Court below. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State after going through the case diary submits that the victim has suffered with 95 % burn injuries and the incriminating article for causing burn injury has been found from the place of occurrence.

Considering the thrust of accusation against petitioner no.2, Naresh Sah, being husband of the daughter of the informant, this Court is not inclined to grant him privilege of bail for the present in connection with Angarghat P.S. Case



No. 22 of 2018, pending before the learned ACJM-II,
Samastipur.

So far as petitioner no.1, Solendra Sah is concerned, he being an old person and the accusation being omnibus and general, coupled with statement made in paragraph no.3 of the petition that petitioner no.1 is not having any criminal antecedent, let him be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Samastipur, in connection with Angarghat P.S. Case No. 22 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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

