

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48952 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- ISUAPUR District- Saran

BAHARAN SAH Son of Paltan Sah Resident of Village- Doila, P.S.-
Mashrakh, District- Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 06-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Ishuapur P.S. Case No. 69 of 2018, disclosing the offence under Section 302 and other allied Sections of the Indian Penal Code.

The petitioner is the husband of the deceased. They were married in 1998. There is allegation in the FIR that the in-laws of the deceased, including the petitioner, killed her and cremated her without any intimation.

Learned counsel for the petitioner has submitted that statement of the informant has been recorded under Section 164 of the Cr.P.C., which does not support the case of the prosecution, as narrated in the FIR.

Considering the above, this application is allowed. Let



the petitioner, above-named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra in Ishuapur P.S. Case No. 69 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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