

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49392 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- KISHUNPUR District- Supaul

BIRENDRA SADA Son of Late Sukhdeo Sada Resident of Village- Khap
Tola, Chamelwa, P.S.- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in **Kishanpur P. S. Case No. 108 of 2019** instituted for the offence under Sections 304B, 201 and 120B/34 of the Indian Penal Code.

3. The allegation is under Section 304 B of the I.P.C. and allied offences. The petitioner is father-in-law of the victim.

4. The counsel for petitioner submits that victim has suffered death on account of some complications arising in course of pregnancy. The fact that the victim is suffering with stomach ache on the fateful night i.e on 12.05.2019 is evident



from the statement of the co-villagers as well as Babita Devi (*Gotani*). It is also submitted that falsity of the allegation is evident from the fact that FIR itself shows that the last rites of the victim was performed after the informant had reached her house. Despite all these facts, the FIR has been lodged after seven days.

5. The petitioner has no criminal antecedents and he is in custody in connection with this case since 20.05.2019.

6. Learned APP for the State opposed the prayer for bail.

7. Having considered the rival submissions of the parties, prayer for bail is allowed. Let the petitioner, above named, 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 the **Chief Judicial Magistrate, Supaul** in connection with **Kishanpur P. S. Case No. 108 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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