

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80149 of 2018

Arising Out of PS. Case No.-316 Year-2018 Thana- BAGHA District- West Champaran

Saheb Sah, Son of Birjhan Turha @ Birjhan Sah, resident of village-Turha
Toli Majhariya, P.S. -Bhairoganj, Distt-West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Sri Rajeev Nayan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 08-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bagaha (Bhairoganj) P.S. Case No. 316 of 2018 registered for the offences punishable under Sections 304(B), 120(B)/34 of the Indian Penal Code.

Allegation against petitioner including all FIR named accused persons is of killing the sister of the informant for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. It has been further submitted that due to complications arising out of pregnancy resulting in excessive bleeding. She died which finds support from the post - mortem report also.



During investigation also witnesses have stated that she died during treatment. Petitioner is in custody since 03.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha, in connection with Bagaha (Bhairoganj) P.S. Case No. 316 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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