

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14043 of 2020

Arising Out of PS. Case No.-66 Year-2019 Thana- DIGHALBANK District- Kishanganj

KAILASH SAH, Male, aged about 27 years, son of Chandra Sah, Resident of Village-Churipatti Dighalbank, P.O. and P.S.- Dighalbank, District-Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Advocate Mr. Bajarangi Lal, Advocate
For the Opposite Party/s	:	Dr. Indihar Kumari, APP
For the Informant	:	Mr. Bimal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 13-10-2020 Heard Mr. Devendra Kumar Sinha, learned counsel for the petitioner, Dr. Indihar Kumar, learned APP for the State and Mr. Bimal Kumar, learned counsel for the informant through Virtual Court Proceeding.

In this case, the petitioner is seeking regular bail in connection with Sessions Trial No. 204 of 2019, arising out of Dighalbank P.S. Case No. 66 of 2019, registered for the offence under Sections 304(B)/34 and 302 of the Indian Penal Code.

As per the F.I.R., the sister of the informant was married with the petitioner. Allegation has been made that the petitioner and his family members used to demand dowry from the informant's sister and on account of non-fulfillment of demand of dowry, they killed her by forcibly administering the poison. The petitioner is in jail since 17.08.2019



In paragraph no.6 of the case diary it has been stated that the deceased herself has consumed the poison but, learned counsel for the informant submits that it is one thing to say that she consumed poison and another thing is that she has forcibly been administered the poison.

Considering the entire facts and circumstance of the case as well as the period of custody, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge- 4th, Kishanganj, in connection with Sessions Trial No. 204 of 2019, arising out of Dighalbank P.S. Case No. 66 of 2019, subject to the condition that the petitioner would fully cooperate with the trial of the case, failing which, the Court below shall be at liberty to cancel the bail bond of the petitioner. However, the Trial Court is directed to expedite the trial and conclude the same within a period of one year after restoration of normal Court proceeding.

(Shivaji Pandey, J)

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