

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65623 of 2019**

Arising Out of PS. Case No.-83 Year-2019 Thana- RAMGARHWA District- East Champaran

SANTOSH SAH @ SANTOSH PRASAD Son of Bhola Sah Resident of  
Village - Bandhu Barwa, P.S.- Ramgarhwa, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.  
For the Opposite Party/s : Mr.Nitya Nand Tiwary (APP)

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      23-01-2020                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in a case  
registered for the offences punishable under Sections 302/34 of  
the Indian Penal Code.

Informant who is the father of deceased has alleged  
in his written complaint that on 06.05.2019 he and his son had  
gone to attend a marriage ceremony in his sasural and he came  
back but his son stayed there and said that he would return with  
his wife. On 09.05.2019 he was informed that he is dead. He  
was killed by strangulation by rope. It is alleged that in-laws of  
his son killed him and he named petitioner as well as other



family members in his written complaint as accused.

It has been submitted on behalf of petitioner that he is innocent and has committed no offence. There is no eye-witness of the occurrence and during entire investigation no incriminating material has been found against petitioner nor any motive has been assigned for such killing. It is further submitted that during investigation it has come that the petitioner had some quarrel with his wife as his wife was not ready to return to her matrimonial home. It is further submitted that in postmortem report except the ligature mark around the neck of the deceased, there is no any other injury found on the person of the deceased. It has come that due to strained relation with his wife, he has committed suicide. Petitioner is in custody since 05.07.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Ramgarhwa P.S. Case No. 83 of 2019, 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 represented on each and every date fixed by the court.

(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)**

Rajiv/-

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