

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17357 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- DARIYAPUR District- Saran

Bharat Sah @ Bharath Sah Son Of Munsii Sah Resident Of Village-
Sumerpatti, Police Station- Dariyapur, District- Saran At Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 06-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Dariyapur P.S. Case No.
214 of 2020, registered for the offence punishable under
Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution case, marriage of informant
was solemnized with co-accused Tinku Sah in the year 2019.
After marriage, this petitioner along with other co-accused used
to torture the informant for dowry. It is further alleged that on
21.02.2020 at 12.00 'O' clock the accused persons confined the
informant in a room, thereafter, petitioner and other accused
persons including husband caught her and sprinkled kerosene oil
on her body and set her on fire, as a result of which she received



burn injury and during course of treatment she died.

It is submitted on behalf of the petitioner that petitioner happens to be father-in-law of the deceased and he is living separately and has no concern with the family affairs of the deceased and her husband. There is general and omnibus allegation against all the FIR named accused persons to have sprinkled kerosene oil on the body of informant and set her on fire. It is further submitted that in fact deceased received burn injury during course of preparing meal and her husband Tinku Sah also received burn injury during saving her and both are firstly treated at Navjeevan Hospital at Hajipur and after some days mother of informant forcibly took out the deceased from that hospital and admitted at Sarvoday Hospital, Patna and later on, Burn Ward of PMCH, Patna and during course of treatment informant died. Husband of the deceased is already in custody. Petitioner is old man and suffering from various ailments and he is in custody since 10.07.2020 having no criminal antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that petitioner is father-in-law of the deceased, the petitioner above-named, is directed to be enlarged 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 learned Additional Chief Judicial Magistrate 13th, Saran at Chapra in connection with Dariyapur P.S. Case No. 214 of 2020, subject to following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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