

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18997 of 2021

Arising Out of PS. Case No.-161 Year-2000 Thana- SAKRA District- Muzaffarpur

1. RAGHUNATH SAH Son of Late Chalitar Sah Resident of Village - Mishraulia Maniyari, P.S.- Sakra, Distt.- Muzaffarpur.
2. Hari Kishun Sah @ Hari Krishna Sah @ Hare Krishna Sah Son of Late Rambaran Sah Resident of Village - Rasulpur (Maniyari Mishraulia Tola), P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-10-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons are stated to have tortured the victim for demand of dowry and have ultimately murdered her and disposed of her dead body.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in the case. They are distant relatives of the in-laws of the deceased. Further, referring to the contents of the F.I.R., it is submitted that at best the case against these two petitioners is said to be



that they participated in the cremation of the victim. It is further submitted that they undertake to cooperate in the trial. The petitioners are in custody since 6.1.2021.

The application for bail is opposed by learned A.P.P. for the State who submits that in an F.I.R. registered in the year 2000, the two petitioners continued to abscond for 20 years. In response, it is submitted by learned counsel for the petitioners that the case of the petitioners stands on a similar footing to that of co-accused Jai Kisun Sah who has been enlarged on bail vide order dated 2.11.2020 (Annexure-2) passed in Cr. Misc. no.25262 of 2020.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioners having remained in custody for 9 months and grant of bail to co-accused Jai Kisun Sah, the Court directs the two petitioners to be enlarged on bail in connection with Sakra P.S. Case no.161 of 2000 (Sessions Trial no.508 of 2016) on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Muzaffarpur.

It is directed that the petitioners shall co-operate in the trial and in case the trial court is of the opinion that the trial is



being delayed due to non-cooperation of the petitioners, the trial court may cancel the bail bond of the petitioners and take them into custody till conclusion of the trial.

(Partha Sarthy, J)

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