

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33056 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- KHAGARIA District- Khagaria

Ranjit Sah, Son of Late Bhola Sah Resident of Durgapur, Police Station -
Mufassil, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-10-2021 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

As per prosecution case, sister of the informant was married with petitioner in the year 2018 and a child was also born from said wedlock. After two years of marriage sister of the informant set herself on fire and she was taken to Begusarai for treatment. The informant went Begusarai and found that his sister was completely burnt. Sister of the informant told that FIR named accused persons tortured her for dowry and assaulted her and as such she set herself on fire. During course of treatment sister of the informant died.



The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is submitted that subsequently Informant realised his mistake and filed a petition that his sister committed suicide which is not attributable to petitioner (Annexure-4). Learned counsel for the petitioner further submits that petitioner has himself given information to his in-laws about his wife having suffered burn injuries and there is evidence that he took all measure to save his wife but unfortunately she succumbed to burn injuries. Petitioner is in custody since 06.02.2021.

Considering the aforesaid facts and circumstances of the case let the petitioner named above be released on bail upon furnishing bail bonds 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 Khagaria (Mufassil) P.S. Case No.268 of 2020, subject to verification by the trial court that the averments made in affidavit (Annexure-4) filed by the informant of the deceased is admitted by informant along with following 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.

(3) If the petitioner tamper 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)

Prakash Narayan /-

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