

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31598 of 2021

Arising Out of PS. Case No.-568 Year-2019 Thana- MUFFASIL District- West Champaran

Kanhaiya Sah Son of Late Gulli Sah Resident of Village- Mahna Gani, Police
Station- Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Bettiah Muffasil P. S Case No. 568 of 2019 for
the offences punishable under Section 304B/34 of the Indian
Penal Code.

According to the prosecution case, Informant
(Chandrawati Devi) got information by his son that some
mishappining done with her daughter Sudha. After knowing
she went to in-laws house of Sudha, where she saw her daughter
(Sudha) was burnt. Thereafter, she admitted Sudha in a Private
Hospital. In course of treatment, Sudha died on 04.10.2019.



Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in this case. It is further submits that the alleged occurrence took place on 01.10.2019 and F.I.R was lodged on 14.10.2019. Petitioner is father-in-law of the deceased and deceased died due to accidental fire. He is in jail custody since 09.01.2021.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Bettiah, West Champaran in connection with Bettiah Muffasil P.S.Case No. 568 of 2019,subject to the following conditions;-

1. 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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