

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29199 of 2020

Arising Out of PS. Case No.-345 Year-2019 Thana- TURKAULIYA District- East
Champaran

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BANARASI SAH Son of Jhabulal Sah Resident of Village- Jaisinghpur
Madhopur, P.S.- Tukauliya, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 15-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Turkauliya P.S. Case No. 345 of 2019
registered for the offences punishable under Section 304B, 34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that as per
first information report the daughter of the informant was
married with co-accused Rahul Kumar, thereafter her daughter
was subjected to cruelty due to non-fulfillment of demand of
dowry. On 03.06.2019 the informant got information that
accused persons including the petitioner killed her daughter by
tying rope in her neck and thereafter she reached at her
daughter's matrimonial home and found the dead body of her



daughter lying on the bed.

Learned counsel for the petitioner submits that petitioner is the father-in-law of the deceased living separately in mess and business and he has no concern with the occurrence, he has been falsely implicated in this case and he is in custody since 06.03.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the father-in-law of the deceased and in course of investigation, no eye witness has come forward to say that this petitioner had caused any assault on the deceased, the petitioner is in custody since 06.03.2020, investigation against him is complete and there is no submission on behalf of the State that the release of the petitioner at this stage is in any way likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No. 345 of 2019, subject



to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

Mr. Bhanu Pratap Singh, learned A.P.P. has returned the case diary to Mr. Pawan Kumar Chaurasia, learned A.P.P.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

