

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40246 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- SAKRA District- Muzaffarpur

Rudal Sah Son of Ahlad Sah Resident of Village - Bishunpur Baghnagri, P.S. - Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-10-2021 Heard both parties.

The petitioner seeks bail in Sakra P.S. Case No. 94 of 2021, registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

As per the prosecution case, on 23.01.2021 the informant received information that his sister Nirmala Devi has been burnt, on such information, he reached at his sister's sasural where his sister was asking for help and when he asked about the occurrence, she stated that her father-in-law (petitioner), mother-in-law, elder *Gotni*, *Dewar* and her husband assaulted her and sprinkled kerosene oil and her *Dewar* set her on fire. During course of treatment, sister of the informant died.

It is submitted on behalf of the petitioner that petitioner is 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. In fact, the deceased has committed suicide and the thrust of allegation is against co-accused Ram Dayal Sah husband of the deceased. Petitioner is in custody since 03.03.2021 having no criminal antecedent. Chargesheet has already been submitted.

Considering the facts and circumstances of the case, 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 XII, Muzaffarpur (East) in connection with Sakra P.S. Case No. 94 of 2021, 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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