

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40806 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- BHAPTIAHI District- Supaul

DIGAMBAR MUKHIYA S/O LATE SUBHAKLAL MUKHIYA RESIDENT
OF VILLAGE - NARAYANPUR, P.S. - BHAPTIYAH, DISTRICT -
SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Aprajita

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard counsel for the parties.

The petitioner seeks bail in Bhaptiyahi P.S. Case No.
20 of 2020, registered for the offence punishable under Section
304B/34 of the Indian Penal Code.

As per the prosecution case, informant's sister was
married with co-accused Sudama Mukhiya. Soon after marriage,
the accused persons including this petitioner started demanding
dowry of Rs. One lakh and due to non-fulfillment of the same,
they administered poison to the sister of informant (deceased),
as a result of which, she died.

It is submitted on behalf of the petitioner that
petitioner is father-in-law of the deceased. There is general and
omnibus allegation and husband of the deceased is already in



custody. During course of investigation, it has come that both husband and wife (deceased) consumed poison due to some family dispute and wife died. However, husband of the deceased was hospitalized for treatment and from there he was arrested and since then he was in custody. Petitioner is in custody since 23.02.2020 and bears 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 Chief Judicial Magistrate-cum-Sub Judge II, Supaul in connection with Bhaptiyahi P.S. Case No. 20 of 2020, 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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