

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4551 of 2022

Arising Out of PS. Case No.-259 Year-2019 Thana- DINARA District- Rohtas

Umesh Turha

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49970 of 2022

Arising Out of PS. Case No.-259 Year-2019 Thana- DINARA District- Rohtas

Hari Turha

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4551 of 2022)

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

(In CRIMINAL MISCELLANEOUS No. 49970 of 2022)

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 19-12-2022 Heard Ld. counsel for the petitioners and learned

APP for the State.

The petitioners seek bail in connection with Dinara

P.S. Case No. 259 of 2019 registered for the offences

punishable under Sections 304(B) and 34 of the Indian

Penal Code.

The prosecution story as emerges form the FIR is



that the marriage of the informant's niece, namely, Kajal Devi was solemnized with Umesh Turha according to Hindu rites and customs on 30.05.2019. After some times, she was being tortured by her in-laws for non-fulfillment of illegal demand of dowry, and ultimately she was killed by them.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that death has been caused by accidental fire caught on account of blast of cylinder of cooking gas and died in the course of treatment. He also submits that the investigation in this case is complete and charge-sheet has been submitted. He further submits that even charge has been framed and trial is going on. He further submits that the death has been caused by accidental fire and the victim died in course of treatment

Ld. counsel for the petitioner, namely, Hari Turha submits that the accused-petitioner is father-in-law and second petitioner, namely, Sima Devi is married *nanad* and she is not even named in the FIR and no role has been



played by them.

The petitioner, namely, Umesh Turha has been languishing in jail since 09.12.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner, namely, Umesh Turha, has moved before this Court for grant of regular bail vide Cr. Misc. No. 33826 of 2020. And petitioner, namely, Hari Turha has moved before this Court for grant of Anticipatory Bail in vide Cr. Misc. No. 84197 of 2019 and petitioner, namely, Sima Devi has not moved for grant of anticipatory bail or regular bail before this Court.

It has further been stated in paragraph no. 3 that the petitioners have no criminal antecedents.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. A.C.J.M-IV, Bikramganj, Rohtas in



connection with P.S. Case No. 259 of 2019 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

U		T	
---	--	---	--

