

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49067 of 2021

Arising Out of PS. Case No.-73 Year-2019 Thana- DEWARIA District- Muzaffarpur

Satish Sah @ Satish Kumar S/O Sri Mithilesh Sah Resident Of Dumri
Parmandpur, P.S.- Deoria, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Sahay Jamuar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

6 06-07-2022 Let the defects, if any, be removed within four weeks
from today.

Heard Mr. Deepak Sahay Jamuar, learned counsel for
the petitioners as well as learned Additional Public Prosecutor
for the State.

The petitioners seek bail in connection with Deoria
Case No. 73 of 2019 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

As per prosecution case, it is alleged that the marriage
of the sister of the informant was solemnized two years ago.
Soon after her marriage, she was subjected to torture for
demand of dowry and due to non fulfillment of the same , she
was burnt to death by the petitioner and his family members.

It is submitted by the learned counsel for the



petitioner that there is no specific allegation against this petitioner rather general and omnibus allegation has been levelled against all the family members of the petitioner. It is further submitted that in fact, the deceased died on account of accidental death and this FIR has been instituted only on suspicion. It is next submitted that during the course of trial, the informant and other charge sheeted witnesses have been examined and they categorically stated that there has never been any demand of dowry rather the deceased died on account of accidental death. In support of his contention a supplementary affidavit has been filed bringing on record the depositions of informant and others.

On the other hand, learned APP for the State opposes the bail application of the petitioners but he fairly submits that since the prosecution witnesses have not supported the prosecution case nothing remained else.

Having considered the submissions made on behalf of the learned counsel for the parties and taking into consideration the deposition of the informant and other prosecution witnesses, who have not supported the prosecution case and petitioner is in custody since 06.04.2021, let the petitioner above named, be released on bail, on furnishing bail bonds of Rs.



20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st class, Muzaffarpur in connection with Deoria P.S.Case No. 73 of 2019 with the following conditions:-

(i) One of the bailors should be the close relatives of the petitioner.

(ii) The petitioner will cooperate in the investigation as well as in conclusion of the trial.

(iii) He will not try to tamper with the evidence or intimidate the witnesses in course of investigation or during the course of trial.

(Harish Kumar, J.)

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