

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53882 of 2021**

Arising Out of PS. Case No.-227 Year-2019 Thana- BARHARIA District- Siwan

Sattar Miyan, aged about 50 years, Male Son of Late Mahamaddin, Resident of Village - Nabiganj, P.S. - Barharia, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-04-2022

Heard learned counsel for the parties.

The petitioner is in jail custody in connection with Barharia P.S. Case No. 227 of 2019 registered under Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution case, on 18th December, 2018 the deceased was married to the petitioner's son and soon thereafter they started demanding dowry. On the fateful day 20.06.2019, the petitioner herein informed the informant that her daughter is ill and immediately thereafter he got the news that she is so dead. He suspected the entire family members to have killed his daughter and as such this FIR came to be lodged.

Learned counsel for the petitioner besides the alibi of innocence has brought to this Court attention to the different orders passed by a Co-ordinate Bench of this Court in (Cr. Misc.



No. 39059 of 2020 dated 10.08.2021, Akhlakh Ahmed @ Akhlakh and in Cr. Misc. No. 76323 of 2019 dated 19.06.2020, Hajra Khatoon and Chand Tara) in support of this case and has submitted that he too be granted bail. In the aforesaid facts and circumstances, the omnibus allegation has been levelled against all of them.

Taking into account the aforesaid facts and submissions of the learned counsel for the petitioner, that similarly situated accused have been granted bail, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Barharia P.S. Case No. 227 of 2019, subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner who shall submit official documents to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the trial Court and failure to do so for two consecutive dates, the trial Court will cancel his bail bond;

(iii) he shall visit local police station every 15 days for next one year after his release from bail or till the conclusion of



the trial, whichever is earlier;

(iv) he shall in no way induce, promise or threat to any of the witnesses or tried to meet them till pendency of the trial.

The bail application is allowed.

(Rajiv Roy, J)

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