

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46580 of 2022

Arising Out of PS. Case No.-108 Year-2019 Thana- KISHUNPUR District- Supaul

Sakaldeo Sada, S/o Late Kaleshwar Sada Resident of Khaptola, Chamelwa Panchayat, Naua- Bakhar, P.S.- Kishanpur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

Let the defect (s), if any, as pointed out by the
office, be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Kishanpur P.S. Case No. 108 of 2019
registered for the alleged offences under Sections 304(B), 201
120(B) and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant
was married with co-accused Laltu Sada. The allegation against
the petitioner and other co-accused persons is that on account of
demand of dowry they killed the daughter of the informant.
Petitioner is the cousin of the father-in-law of the deceased.

Learned counsel for the petitioner submits that

petitioner is innocent and has been falsely implicated in this case. The petitioner is the cousin of the father-in-law of the deceased and he has no direct or indirect involvement in the family matters of the deceased family still he has been made accused in this case. Learned counsel further submits that the daughter of the informant died due to some complication arising out of pregnancy and F.I.R. has been lodged after delay of seven days. Similarly, placed co-accused father-in-law of the deceased has been granted bail vide order dated 27.09.2019 passed in Cr. Misc. No. 49392 of 2019. Charge sheet has been submitted in this case and the petitioner is in custody since 05.04.2022.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the relationship of the petitioner with the deceased and further considering the distinct lack of material to connect the petitioner with the offence as alleged and also considering the grant of bail to co-accused father-in-law and further considering the submission of charge sheet along with period of custody of the petitioner, the petitioner above named is directed to be released

on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 108 of 2019, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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