

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68861 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- SONBERSA District- Sitamarhi

MD ALAM Son of Late Md. Puran Resident of Village- Bhutahi, Police
Station- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Madhubala Verma, Advocate Mr.Ajay Kumar Verma, Advocate
For the Opposite Party/s	:	Mr.Jagdhara Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Sonbarsa P.S. Case No. 198 of 2020 registered for the alleged offences under Sections 147, 148, 149, 302, 304(B)/307, 323, 324, 201 and 34 of the Indian Penal Code.

As per prosecution case, the daughter of the informant was killed by her husband and other in-laws on account of their demand of dowry. The petitioner is the cousin of the husband of the deceased.

Learned counsel for the petitioner submits that



petitioner is innocent and has been falsely implicated in this case. The petitioner has got no concern with the alleged occurrence. He was working as a labourer in Delhi and lives there with his family members. The husband of the deceased and this petitioner are agnates and they have been living separately for more than 20 years. Learned counsel further submits that in course of investigation, it has been found that the deceased died a natural death but in order to black mail the accused persons, the informant lodged a complaint case after three days of the alleged occurrence. Even the father of the deceased participated in the burial and he filed a petition before S.H.O. of Sonbarsa that his daughter has died a natural death. The whole prosecution story is false, fabricated and concocted. Charge sheet has been submitted in this case and the petitioner is in custody since 24.08.2021

Learned APP for the State opposes the prayer for bail of the petitioner submitting that the petitioner and other co-accused persons were involved in killing of the daughter of the informant.

Perused the records.

Having regard to the facts and circumstances and submission made on behalf of the parties and further considering the lack of substantive material to connect this petitioner with the alleged offence and also considering his period of custody and



submission of charge sheet, 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 A.C.J.M-VII, Sitamarhi in connection with Sonbarsa P.S. Case No. 198 of 2021, 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)

Gautam/-

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

