

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35690 of 2023**

Arising Out of PS. Case No.-44 Year-2022 Thana- BHAGWANPUR District- Begusarai

SONU SAH Son of Late Ramu Sah RESIDENT OF VILLAGE ATARUA, PS  
BHAGWANPUR, DISTRICT BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                             |
|--------------------------|---|-------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Amar Kumar Singh, Advocate<br>Mr. Binod Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Uday Chand Prasad, APP                                  |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      19-07-2023                      On call, a prayer for pass over is made by Mr. Amar Kumar Singh, learned counsel appearing on behalf of the petitioner as he do not have the file to argue the case.

The petitioner is in judicial custody in connection with Bhagwanpur (Tiyay) P.S. Case No. 44 of 2022 for the offence punishable under Sections 304(B), 34 of the I.P.C. lodged on 4.3.2022 by the informant, Karilal Sah.

As per the petition, the marriage took place on 10.3.2020 and the relationship was cordial. However, later on, the family members of the petitioner started demanding motorcycle. On 3.3.2022, the informant came to know about the death of his daughter and accordingly the FIR.

The post mortem report is on record, according to



which, she died of hanging.

The case as, per the petition, is that the petitioner was doing his business in a 'Mela' between 28.2.2022 to 4.3.2022 and as such he was not even present at the place of occurrence.

Learned APP opposes the prayer stating that he is the husband.

Taking into account the aforesaid facts that the death has been due to hanging, as per the post mortem report, the petitioner has remained in custody since 30.8.2022 (as per para-1 of the petition), FIR lodged and ultimately will face the trial, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate,-1st Class, Begusarai, in connection with Bhagwanpur (Tiyay) P.S. Case No. 44 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

Ravi/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

