

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39808 of 2023

Arising Out of PS. Case No.-62 Year-2011 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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SANJAY SAH S/o Late Brahma Sah R/o Balu Ghat Karpuri Nagar Ward No.
15, School Road, Thana Nagar, District-Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar
For the Opposite Party/s : Mr.Abhay Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Session Trial No. 05 of 2023
arising out of Muzaffarpur (Nagar) P.S. Case No. 62 of 2011
dated 28.1.2011 registered for the offence punishable u/s
304(B)/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have hanged the sister of the



informant to death due to non-fulfilment of demand of dowry.

The marriage between the parties took place in the year 2004.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The informant has deposed in S. Tr. No. 05 of 2023 that no dowry was demanded and the deceased died due to diarrhoea. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.8.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is husband of the deceased.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Session Trial No. 05 of 2023 arising out of Muzaffarpur (Nagar) P.S. Case No. 62 of 2011 with the following condition :-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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