

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2883 of 2019

Arising Out of PS. Case No.-359 Year-2018 Thana- BAKHTIARPUR District- Saharsa

Subhas Jha son of Birendra Jha R/o Vill-Ekparha, P.S-Bakhtiyarpur, Dist.-
Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms.Rashmi Jha, Advocate
For the Opposite Party/s	:	Mr.Braj Kishore Pd.(App)
For the Informant	:	Mr. Chandra Mohan Jha ,Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2019 Heard learned counsel for the petitioner, learned
counsel for informant and the learned APP for the State.

The petitioner seeks bail in Bakhtiyarpur P. S. Case
No. 359 of 2018 instituted for the offence under Section(s)
304B, 302, 201 and 34 of the Indian Penal Code.

Petitioner is husband of the deceased.

It is alleged in the written report that daughter of
informant was married with this petitioner in the year 2009. She
was tortured in her *Sasural* for which daughter of informant
always informed to her. It is alleged that on 13.9.2018
daughter of informant called and told her that she has been
tortured. The informant received the phone call in the morning
from the villager of her daughter's *Sasural* that her daughter



has been killed by administering poison and dead body has been cremated. The informant has further alleged that mother-in-law along with other villagers have committed the occurrence.

Learned counsel for petitioner submits that petitioner was not present on the date of occurrence in the house. Learned counsel points out Annexure-2 to bail petition which is attendance sheet of the employer where the petitioner was present on the alleged date of occurrence with regard to his work.

Case diary has been received in the instant case.

Learned APP after looking into the case diary submits that witnesses have stated that petitioner was at his work place on the alleged date of occurrence.

Learned counsel for the informant has appeared and opposed the prayer for bail. He submits that there is allegation against this petitioner that he used to commit torture with the daughter of informant and also abused her on telephone. He further submits that charge sheet has already been submitted U/s 302/120B of the I.P.C.

Petitioner is in custody since 27.9.2018.

Considering the aforesaid, let the petitioner, above



named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M. Saharsa, in connection with Bakhtiyarpur P. S. Case No. 359 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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