

sIN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7570 of 2015

Arising Out of PS.Case No. -20 Year- 2014 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Shambhu Sharan @ Shambhu Sharma @ Guddu @ Shambhu Sharan
Sharma @ Guddu Sharma Son of Birendra Sharma resident of village-
Nauhatta , P.S.- Nauhatta , District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner and learned

APP for the State.

The husband of the victim who died an unnatural
death while inside the matrimonial home within seven years of
marriage has prayed for bail in connection with Nauhatta P.S.
Case No. 20/14 instituted under section 304-B/34 IPC.

According to the informant (father of the deceased)
the marriage between the victim and the petitioner was solemnized
in the year 2011. She was being ill-treated/tortured on diverse
counts including non fulfilment of certain dowry demands. On the
date of occurrence he received a call from the petitioner that his
daughter has received burn injuries. Thereafter he rushed to the

hospital where his daughter succumbed to her injuries.

The contention of the petitioner is that even according to the FIR it is the husband who telephoned the informant about the incident and he tried his utmost to save the life of the deceased. The petitioner is in custody 09.05.2014.

Learned APP opposing the prayer contended that admittedly the death occurred within seven years of marriage in mysterious circumstances inside the house of the petitioner (husband). The FIR discloses the manner in which ill-treatment was meted out to her.

Having heard the parties, in my view, the petitioner at this stage does not deserve to be released on bail. Prayer is rejected.

Considering the fact that the petitioner is in custody since last one year, this Court grants liberty to him to prayer for bail if the charges are not framed and adequate progress is not achieved in trial within nine months from the date of receipt/production of a copy of this order in the court below.

(Kishore Kumar Mandal, J)

HR/-

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