

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35628 of 2015

Arising Out of PS.Case No. -32 Year- 2014 Thana -CHANDI District- BHOJPUR

=====

1. Raju Kushwaha Son of Bir Bahadur Singh Resident of Village -
Chakiya, P.S. - Chandi, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Rajeev Nayan(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 23-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Chandi
P.S. Case No. 32 of 2014 registered for the offences punishable
under Sections 304B/34 of the Indian Penal Code.

Reena Devi the daughter of the informant was married
with the petitioner in the year 2007 and due to non-fulfillment of
demand of Rs. 1.5 lakh, she was done to death.

Submission is of false implication and that the deceased
died due to severe abdomen pain and her treatment was done by
Dr. Sadhu Saran Pandey but in course of treatment she died vide
annexure-3. In post mortem examination also cause of death has
not been ascertained, no external injury was found on her person,

no ligature mark or bruises on her neck or any other parts of her body was found and as such the petitioner who is suffering in custody since 10.04.2015 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above and considering the post mortem report and further annexure-3, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Chandi P.S. Case No. 32 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

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