

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36410 of 2015

Arising Out of PS.Case No. -215 Year- 2012 Thana -NATHNAGAR District- BHAGALPUR

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1. Sanni Sah Son of Sri Kailash Pandit Resident of Village- Ambai Modhi
Pokhar, P.S. Madhusudanpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 01-12-2015

Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 304 B, 201 and 34 of the I.P.C

Anita Devi, daughter of the informant, was married
with the petitioner in March, 2012 and thereafter the petitioner
demanded one bhar gold by way of dowry which was fulfilled and
again started demanding motorcycle and due to non fulfillment the
petitioner killed his wife with the aid and assistance of other co-
accused and cremated the dead body.

Submission is of false implication and that due to
village politics this case has been lodged. The deceased died
natural death. No offence under section 304 B I.P.C. is made out.
The trial is going on but has not been concluded and the petitioner

is in custody since 06.03.2013. The petitioner was having cordial relation with his wife and dowry was never demanded. The petitioner undertakes to remain present on each and every date.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the husband and against him there is allegation for demanding dowry.

In the facts and circumstances as stated above, considering that the petitioner is in custody since 06.03.2013, trial has not been concluded as yet, there is no chance of tampering with the prosecution evidence and as such considering his detention now he is directed to 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 A.D.J. Vth, Bhagalpur in S.T. No. 793 of 2013/ G.R. No. 3296 of 2012 arising out of Nath Nagar (Madhusudanpur) P.S. Case No. 215 of 2012, 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)

Abhay/-

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