

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36330 of 2015

Arising Out of PS.Case No. -76 Year- 2014 Thana -KOILWAR District- BHOJPUR

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1. Munna Choudhary, son of Shyam Lal Choudhary, Resident of Village-
Baburbani, P.S.- Koilwar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Sanjay Kumar(App)

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

03 30-11-2015

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Koilwar
P.S. Case No. 76 of 2014 registered for the offences punishable
under Sections 304-B, 201/34 of the Indian Penal Code.

Radhika Devi, the daughter of the informant was
married to the petitioner on 19.05.2013 and due to non-fulfillment
of demand of golden ring, she was being tortured, assaulted and
ultimately she was killed and her dead body was also cremated.

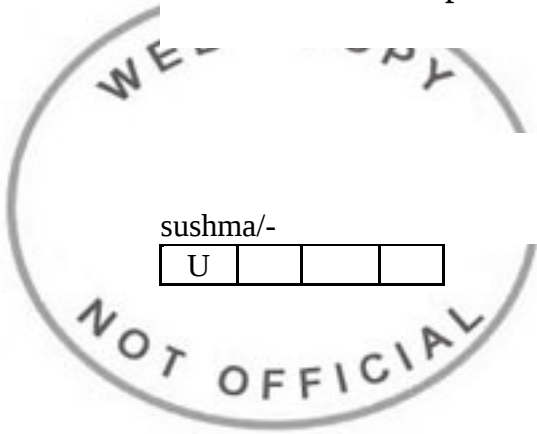
Submission is of false implication and that the
marriage was performed in the temple and there was no demand of
dowry. During investigation witnesses, namely, Ajay Chaudhary
and Ram Eqbal vide paras 13 and 14 have stated that there was

some altercation between husband and wife and then Radhika Devi consumed poison and she was brought for treatment but during treatment she died. The petitioner is in custody since 15.05.2014. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband and his wife died within one year of marriage.

In the facts and circumstances stated above, considering that two witnesses are stating otherwise that the wife of the petitioner consumed poison herself and during treatment she died and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 the Learned Chief Judicial Magistrate, Bhojpur at Ara arising out of Koilwar P.S. Case No. 76 of 2014 subject to the conditions that one of the bailors must be 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)

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