

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50427 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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Pramod Thakur son of Late Madan Thakur, R/o village- Madhuwahan Mal,
P.S.- Rajepur, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Rajpur
P.S. Case No. 49 of 2015 registered for the offences punishable
under Sections 304B, 201/34 of the Indian Penal Code.

Aarti Kumari the daughter of the
complainant/informant was married to petitioner in December,
2013 and allegedly, due to non-fulfillment of demand of dowry
by way of motorcycle and cash of Rs. 50,000/- she was killed by
the petitioner and others and made the dead body traceless.

Submission is of false implication and that due to some
dispute the case was lodged. The wife of the petitioner died due to
cold diarrhoea, in her funeral the informant has also participated
but being instigated by enemies of the petitioner, lodged this case

and now after knowing the reality has filed compromise petition vide annexure-2. The petitioner was having cordial relation with his wife and out of the wedlock there is a son also and chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP after going through annexure-2 fairly submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, 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 S.D.J.M., Sikarhana at Motihari in connection with Rajepur P.S. Case No. 49 of 2015, 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)

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