

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49154 of 2014

Arising Out of PS.Case No. -93 Year- 2014 Thana -KOCH District- GAYA

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Subodh Tiwari, Son of Uday Tiwary, Resident of Village - Utrain P.S.
Konch, District - Gaya. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Adv.

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

2 20-02-2015 Heard Mr. Rama Kant Sharma, learned senior counsel

assisted by Mr. Lakshmi Kant Sharma, learned counsel for the

petitioner and learned A.P.P. for the State.

The petitioner seeks bail in Konch P.S. Case No. 93 of
2014 dated 02.07.2014 instituted under Sections 302/201/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act,
though after investigation, the police has submitted chargesheet
under Section 306/201 of the Indian Penal Code.

Learned counsel for the petitioner submits that even
during investigation the minor son of the petitioner has stated that
there was some hot talk between the deceased and the petitioner
and thereafter it appears that she committed suicide due to the
same. He further submits that the petitioner being the husband
having two minor children could not have intended that his wife
should be so compelled so as to take her life and whatever

happened was unfortunate but without there being any intention on the part of the petitioner and even otherwise in a normal relationship also there are slight differences between the couple. Thus, the incident occurred without there being any role of the petitioner. It is submitted that the minor son and daughter of the petitioner are being looked after by the parents of the petitioner and he having clean antecedent, is in custody since 23.07.2014.

Learned A.P.P. opposes the prayer for bail and submits that the petitioner being the husband was responsible for the suicide of his wife.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in Konch P.S. Case No. 93 of 2014. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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