

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48701 of 2014

Arising Out of PS.Case No. -179 Year- 2012 Thana -VIJAYPUR District- GOPALGANJ

Uma Shankar Goand son of Arjun Gound @ Arjun Jhagru Goand, R/O village Hlarpur P.S. Baghochl Ghat, Distt/Deoria (U.P.), present address- C/S Abhijit Cooperative Housing Society Sainath Nagar Road, Tying Nala, Sopara Maharashtra.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. S.M.Rahman, APP

For the informant : Mr. Nityanand Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 04-05-2015 Heard both sides.

The petitioner seeks bail in Bijaipur P.S.Case No.179 of 2012 registered under Sections 498A IPC and ¾ of the D.P. Act.

The wife made allegation of demand of dowry and torture against the petitioner. The petitioner was granted provisional bail by the learned Sessions Judge vide order passed in Cr.Misc.No.22985 of 2014. The wife was residing in her matrimonial house in the district Deoria. The provisional bail of the petitioner was cancelled on the ground that while she was living in the house of the petitioner an attempt was made to kill her by forcibly putting poison in her mouth by her father-in-law.

It is submitted that the petitioner being the husband, is in jail since 15.10.2014.

Learnedly APP vehemently opposed the prayer for bail and submitted that the petitioner is the husband and while the informant was living in her matrimonial house, an attempt was made to kill her.

From perusal of the complaint petition on the basis of which the present FIR was lodged, it appears tht the complainant-informant did not make any specific allegation against the petitioner. While the informant was living in her matrimonial house, the father-in-law of the informant forcibly put poison in her mouth but the informant did not make any allegation against the petitioner.

Considering the facts aforesaid and the fact that the petitioner is in jail for more than six and half months, the petitioner, named above, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M, Gopalganj in connection with Bijaipur P.S.Case No. 179 of 2012.

(Prabhat Kumar Jha, J)

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