

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28793 of 2015

Arising Out of PS.Case No. -88 Year- 2014 Thana -OBRA District- AURANGABAD

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1. Sri Ram Pandey S/o Sri Awadhesh Pandey R/o Village - Hemja, P.S. -
Obra, District - Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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

3 27-10-2015 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) and 201/34 of the I.P.C

The daughter of the informant was married with the
petitioner on 26.04.2012 and due to non fulfillment of demand of
dowry she was being tortured and ultimately she was killed by the
petitioner and others and cremated the dead body.

Submission is of false implication and that the
deceased died due to diarrhoea which finds support during
investigation vide paragraphs- 7, 8 and 9 of the case diary. The
informant was informed regarding her condition and there is vague
allegation for demanding dowry and the petitioner is suffering in

custody since 06.09.2014. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that the witnesses Narendra Kumar, Birendra Singh and Nagendra Tiwary vide paragraphs- 7, 8 and 9 of the case diary have not supported the prosecution case.

In the facts and circumstances as stated above, the petitioner 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 S.D.J.M. Daudnagar, Aurangabad in Obra P.S. Case No. 88 of 2014, 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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