

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26068 of 2015

Arising Out of PS.Case No. -33 Year- 2013 Thana -HATHIDAH District- PATNA

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1. Rajeev Kumar @ Chunchun Son of Sri Bhola Singh resident of village -
Aunta, Police Station - Hathidah, in the district of Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr. Advocate
Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Kr. Virendra Narayan(App)

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

3 08-10-2015 Heard learned Sr. Counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Hathidah
P.S. Case No. 33 of 2013 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Allegedly, due to non-fulfillment of demand of dowry
of Rs. 3,00,000/-, Richa Devi the daughter of the informant who
was married with the petitioner in the year 2010 was administered
poison by the petitioner and other co-accused and she died in
Alexiya Hospital, Begusarai.

Submission is of false implication and that during
investigation the witnesses vide paragraph 4, 5, 6, 7, 11, 12 and 13



have stated that the deceased consumed poison herself and thereafter, she was brought in the Alexiya Hospital for treatment where she died. In paragraph 47 it has come that the deceased was a teacher in St. Paul School at Patna whereas the petitioner was working as Guard in a Trust and due to that the deceased was not happy with her life and she was in frustration and she consumed poison herself. After investigation chargesheet has been submitted under Section 306 of the Indian Penal Code vide Chargesheet No. 38/15 and the petitioner is suffering in custody since 10.04.2015 after his surrender.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that chargesheet has been submitted under Section 306 IPC as during investigation it has come that the deceased consumed poison herself, further considering the period of detention as also the fact that chargesheet has already been submitted and there is no chance of tampering with 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 Sri R. K. Verma, Judicial Magistrate Ist Class, Barh in connection with Hathidah P.S. Case No. 33 of 2013, 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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