

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50018 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -BHANGWANPUR HAT District- SIWAN

1. Banti Pandey Son of Upendra Pandey, Resident of Naduwan, P.S. - Bhagwanpur Hatta, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Ataur Rahman(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2015 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Bhagwanpur Hatt P.S. Case No. 157 of 2014 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Jusy Devi, the sister of the informant was married to the petitioner, two and half years ago and due to non-fulfillment of demand of Rs. One lac and other articles, she was being tortured and ultimately she was burnt resulting, she died in PMCH.

Submission is of false implication and that the wife of the petitioner received accidental burn injury on 09.06.2014 and

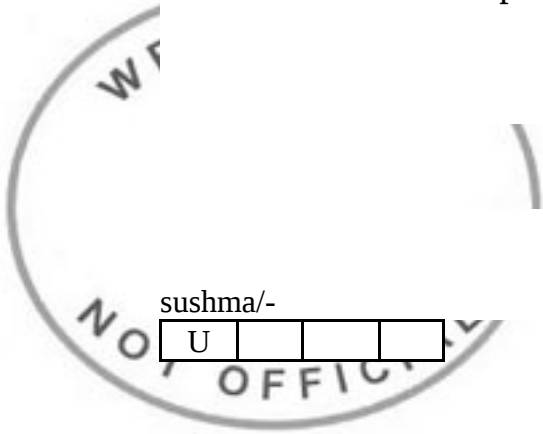


she was brought at Appolo Burn Hospital for treatment by the petitioner and his family members where the fardbeyan of the wife of the petitioner was recorded on 12.06.2014 at 1.46 a.m. where she admitted that she received accidental burn injury and she died on 17.06.2014 at PMCH and thereafter the informant lodged this case resulting, the petitioner is suffering in custody since 12.04.2015, having no criminal antecedent.

The learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner is the husband and there is allegation of demand of dowry and the deceased died within three years of marriage.

In the facts and circumstances stated above, considering 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 the Learned C.J.M., Siwan arising out of Bhagwanpur Hatt P.S. Case No. 157 of 2014 subject to the conditions that one of the bailors must be 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.



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(Jitendra Mohan Sharma, J)