

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20243 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -TARABARI District- ARRARIA

=====

1. Sanjit Kumar Jha @ Sanjit Jha @ Shakkhu Jha son of Shri Shankar Jha
resident of Village - Phulbari, Police Station - Tarabari, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 02-11-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and

is languishing in jail custody since 13.03.2015 in a case registered

for the offences punishable under Section 304B/34 of the Indian

Penal Code.

The contention on behalf of the petitioner is that

marriage of petitioner had taken place with deceased more than

seven years ago and as a matter of fact, deceased was caught in

fire while she was preparing meals and after the aforesaid incident

while deceased was being taken to hospital by petitioner and his

other family members, deceased died on her way. Learned counsel

for the petitioner drew my attention towards para-10 of the case

diary in which the statement of own fua of the deceased has been recorded and the aforesaid witness stated the above stated facts. It is pointed out on behalf of the petitioner that in course of trial, the informant was examined as prosecution witness no. 5 and in her deposition, she has not supported the accusation of illegal demand as well as torture and furthermore, the aforesaid witness specifically stated that her daughter was caught in fire accidentally while she was cooking meal and therefore, in view of the aforesaid statement of informant, there appears to be little chance of success of prosecution case.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria in connection with Sessions Trial No. 234 of 2015 arising out of Tarabari P.S. Case No. 56 of 2014.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--