

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49421 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -HASPURA District- AURANGABAD

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Shambhu Kumar Son of Sidheshwar Singh	Resident of village -
Barelichak, P.S. Haspura, District – Aurangabad	 Petitioner/s
Versus	

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Dubey, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

3 16-12-2015 Heard counsel for the petitioner as well as
counsel for the State.

Petitioner apprehends his arrest in a case under
sections 302, 120 B of the Indian Penal Code.

The petitioners submit that as per allegation,
marriage of the informant's daughter was to be solemnized by
him. The informant stated that he yielded to the demand of
dowry made by the petitioner's father. However, the petitioner
used to come to the house of the informant to meet her
daughter on and off, after engagement ceremony. It is further
alleged that on 12.05.2015 the petitioner came to the house of
the informant and after pouring kerosene oil on the body of the
deceased, set her on fire and fled away from the place of
occurrence, on account of which the daughter of the informant
died.

The petitioner submits that the allegation made

in the prosecution case is totally incorrect and false. He submits that it is improbable that even before settlement of marriage, the would be husband would come to house of the informant and would set the victim on fire. Furthermore, no tangible reason has been indicated behind the alleged offence committed by the petitioner. He further submits that in course of investigation, it has come in the case diary that the informant's daughter was having friendship with another boy and wanted to marry with him, and as her marriage was settled with the petitioner, she got infuriated and committed suicide in frustration.

The State Counsel is not able to deny the aforesaid version in the petitioner.

In the facts and circumstances of the case, if the petitioner as mentioned above surrenders within six weeks from today, be released on bail on furnishing bail bond of Rs.5,000/- with two sureties of the like amount each to the satisfaction of learned Sub-divisional Magistrate, Daudnagar (Aurangabad) in Haspura Police station Case No. 89 of 2013, with the condition that he would not physically absent for two consecutive dates at a stretch till one witness is examined.

Sashi./-

(Samarendra Pratap Singh, J)

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