

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45983 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -NAVHATTA District- SASARAM (ROHTAS)

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Taahir @ Bittu S/o Md. Latif Khalifa, resident of village- Baulia, P.S.-
Nauhatta, District- Rohtas Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 03-12-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for grant of regular bail arises out of
Nauhatta P.S. Case No. 30 of 2015, disclosing offences under
Sections 304B, 328, 201/34 of the Indian Penal Code and Sections
3 and 4 of Dowry Prohibition Act.

The petitioner is the husband of the deceased. They
were married on 05.11.2012.

Learned Senior Counsel appearing on behalf of the
petitioner submits that there is delay of more than one month in
institution of the First Information Report and contends that no
offence under Section 304B of the Indian Penal Code is made out
inasmuch as there is no allegation in the First Information Report
that immediately before the death of the deceased, any demand of
dowry was made by her family members. The petitioner is in

custody since 23.06.2015. He also submits that there is no material could be collected, in course of investigation, to indicate the petitioner's involvement in the death of the deceased. He has referred to the medical prescription, which have been brought on record as Annexure to this application to demonstrate that the deceased was undergoing treatment and she died out of rheumatic heart disease.

In view of the submission as noted above, this application is allowed.

Let the petitioner, above-named be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dehri, District- Rohtas at Sasaram in connection with Nauhatta P.S. Case No. 30 of 2015.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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