

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30999 of 2015

Arising Out of PS.Case No. -139 Year- 2013 Thana -NAUBATPUR District- PATNA

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1. Tulsi Kumar S/o Late Chandeshwar Rai Resident of village - Ghanshyampur, P.S. Naubatpur, Distt. - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma

For the Opposite Party/s : Mr. A.Haque Sahara(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 02-11-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Naubatpur P.S. Case No. 139 of 2013 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

Sita Devi the daughter of the informant was married with the petitioner in the year 2009 and in the morning of 10.05.2013 the informant received a call that his daughter is admitted in Emergency Ward of PMCH then he went there and found the dead body of his daughter. It is alleged that she was done to death by administering poison due to non-fulfillment of demand of dowry.

Submission is of false implication and that admittedly the deceased was admitted in PMCH by the petitioner, she has consumed Sulphas in frustration as she has not given birth of any child and this fact has been supported by the witnesses vide paragraphs 12 to 15 of the case diary. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence and the petitioner is suffering in custody since 16.05.2015 to which learned APP does not oppose.

In the facts and circumstances stated above, 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 A.C.J.M., Danapur in connection with Naubatpur P.S. Case No. 139 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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