

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27324 of 2015

Arising Out of PS.Case No. -77 Year- 2015 Thana -KATIHAR District- KATIHAR

1. Sonu Kumar Choudhary son of Bikram Choudhary, resident of Mohallah Colony No. 1, Katihar, Police Station Katihar Town, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Katihar Town P.S. Case No. 77 of 2015 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

The daughter of the informant Rina Devi and the petitioner performed love marriage and thereafter, the petitioner and others used to torture her for not fulfilling the demand of cash and then she consumed poison and she was admitted in Katihar Sadar Hospital where during treatment she died.

Submission is of false implication and that due to local politics he has been implicated. The petitioner never demanded any dowry. The wife of the petitioner was not in the house and in



paragraph 36, 37, 38 and 39 it has come that the wife of the petitioner used to talk with Pawan Chaudhary and 4-5 days before the occurrence, she became traceless and she consumed poison at Bakhari and thereafter, she was admitted in Sadar Hospital, Katihar where she died. The petitioner is suffering in custody since 02.05.2015 after his surrender. Chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband and death occurred just after one year of marriage.

In the facts and circumstances stated above, noticing that the deceased and the petitioner performed love marriage and during investigation it has come that she consumed poison at Bakhari not at the house of the petitioner as such 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 Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 77 of 2015, 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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