

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45088 of 2015

Arising Out of PS.Case No. -215 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Shambhu Sharma Son of Bhola Thakur Resident of village - Balwa
Kuari Dharam Gachi, P.S. Hajipur Sadar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Mrs. M. Verma (Adv.)

For the Opposite Party/s : Mr. M. RAB (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sadar P.S.
Case No. 215 of 2014 registered for the offence punishable under
Section 302/34 of the Indian Penal Code.

Sangeeta Devi the daughter of the informant was
married to the petitioner 15 years ago and she was being assaulted
and ultimately she was burnt and was brought in Hajipur Sadar
Hospital from where she was referred to P.M.C.H., Patna and
during treatment, she died.

Submission is of false implication and that the
petitioner was having cordial relation with his wife and there are



four children out of the wedlock. The wife of the petitioner was of short temper and due to minor dispute as she was pressurizing for ornaments which was refused by in-laws, resulting she burnt herself and the petitioner tried to save her. The daughter of the deceased has also stated that her mother burnt herself and the petitioner tried to save her, resulting the petitioner also received injury.

The learned A.P.P. fairly submits that after investigation, chargesheet has been submitted under Section 306/34 I.P.C..

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The witnesses including the daughter of the deceased are stating otherwise and, 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, Vaishali at Hajipur arising out of Sadar P.S. Case No. 215 of 2014 subject to the conditions that one of the bailors must be 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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