

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34375 of 2015

Arising Out of PS.Case No. -68 Year- 2014 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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1. Dhirendra Singh S/o Kusheshwar Singh Resident of Village Anand
Golva, P.S. Mohiuddinnagar, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry

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

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

4 23-11-2015 Heard the learned counsel for the petitioner, the
learned A.P.P as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 498A, 304B, 364 and 201/34 of the
I.P.C

Allegedly, Julee Devi, the daughter of the informant,
was married with the petitioner six years ago and due to non
fulfillment of demand of dowry and as Julee Devi gave birth of
three female children she was killed and her dead body was made
traceless.

Submission is of false implication and that the
petitioner was leading happy conjugal life, never any demand was



made, wife of the petitioner committed suicide herself which is evident from the statement of Sonali Singh and Bishali Singh, the daughters of the informant vide paragraphs- 90 and 91 of the case diary and further statement of Sonali Singh under section 164 Cr.P.C. has been recorded which is mentioned in paragraph-100 of the case diary and from those statements it is evident that the deceased committed suicide herself and as such the petitioner who is suffering in custody since 04.05.2015 deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the husband and he assaulted his wife on the fateful day and further the dead body of the deceased was made traceless which was recovered from the bank of ganga river.

In the facts and circumstances as stated above, considering the statements of two daughters that their mother committed suicide by burning herself and further considering that charge sheet has already been submitted against the petitioner under sections 498A, 302 and 201/34 I.P.C and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like

amount each to the satisfaction of C.J.M. Samastipur in Mohiuddinnagar P.S. Case No. 68 of 2014, 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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