

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.842 of 2016

Arising Out of PS.Case No. -185 Year- 2014 Thana -MARHAURA District- SARAN

1. Sanjay Ray Son of Ram Pukar Ray Resident of Village-Ekma,
Shekhpura, Olahanpur, p.s Marhowrrah, Dist Saran..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

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

ORAL ORDER

3 09-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Marhowrah
P.S. Case No. 185 of 2014 registered for the offence punishable
under Section 304B of the Indian Penal Code.

Sunita Devi the daughter of the informant was married
to the petitioner in the year 2005 and due to non-fulfillment of
demand of dowry by way of cash of Rs. 5,000/- and vehicle, she
was ultimately killed by the petitioner and other in-laws after
administering poison.

Submission is of false implication and that during
investigation independent witnesses vide paragraph 31 and 32 of
the case diary have not supported the prosecution version and
further the informant after realizing the truth has also not
supported his earlier version in cross-examination during trial,

other co-accused has been allowed pre-arrest bail vide Cr. Misc. No. 48378 of 2014 and as such the petitioner also deserves sympathetic consideration to which learned APP submits that the petitioner is the husband of the deceased.

In the facts and circumstances stated above, considering the period of detention and further the trial is going on and in near future the trial is not likely to be concluded, 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 Additional Sessions Judge V, Saran at Chapra in S. Tr. No. 490 of 2015 arising out of Marhowrah P.S. Case No. 185 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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