

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2609 of 2016

Arising Out of PS.Case No. -292 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

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1. Anmol Choudhary Son of Harendra Choudhary, Resident of Village -
Purnea, P.S. - K. Nagar, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Mr. D.N. Tiwari, Advocate.

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

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

ORAL ORDER

4 31-03-2016

Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 304 B/34 of the I.P.C

Kanchan Kumari, the niece of the informant, was
married to the petitioner two years ago and allegedly due to non
fulfillment of demand of dowry by way of cash of Rs. 2,00,000/-
she was being tortured by the petitioner and other in-laws and
ultimately she was poisoned to death.

Submission is of false implication and that the
petitioner was having cordial relation with his wife, the wife of the
petitioner started suspecting that the petitioner was having love
affair with some girl and for that there was some dispute resulting
the wife of the petitioner consumed poison which is evident from

the statement of the witnesses, namely, Bhawesh Choudhary and Kantlal Mahto, vide paragraphs- 17 and 18 of the case diary, the petitioner is suffering in custody since 24.06.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, considering that no external injury has been found on the person of the deceased and some of the witnesses have not supported the prosecution version 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 A.D.J.- IV, Purnea in Sessions Trial No. 539 of 2015 arising out of K. Nagar P.S. Case No. 292 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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