

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2500 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -THAKURGANJ District- KISANGANJ

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1. Sarwar @ Sarwar Alam Son of Saidur Rahman, Resident of Village -
Barahmani, Police Station - Powakhali in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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

3 28-03-2016 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

Allegedly, Naznin Begum, the daughter of the
informant, was married to the petitioner one year ago and
thereafter due to non fulfillment of demand of dowry by way of
motorcycle and cash of Rs. 50,000/- she was done to death by the
petitioner and other in-laws.

Submission is of false implication and that the
petitioner never demanded anything from any one, as a matter of
fact the wife of the petitioner was short tempered lady and due to
trivial dispute she committed suicide by hanging, the doctor has

also found the cause of death asphyxia and shock as a result of hanging, the informant after realizing the truth has filed compromise petition and as such the petitioner who is suffering in custody since 02.05.2015 deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner is the husband.

In the facts and circumstances as stated above, considering that the informant now is not ready to support 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 Sri A. Suman, J.M. 1st Class, Kishanganj in Thakurganj (Powakhali) P.S. Case No. 38 of 2015/ G.R. No. 232 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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