

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2822 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Bali Sahni Son of Wakil Sahni resident of village - Majhariya, P.S.
Piprakothi, District - East Champaran.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. B.N. Pandey, (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-03-2016

Heard learned counsel for the petitioner and learned

counsel representing the State.

Supplementary affidavit has been filed on behalf of the
petitioner which has been taken on record.

Petitioner seeks bail in connection with Piprakothi P.S.
Case No. 32 o 2015 registered for the offence punishable under
Sections 304B/34 of the Indian Penal Code.

The accusation is for killing the daughter of the
informant just after two and half years of marriage due to non-
fulfillment of additional demand of dowry.

Submission is of false implication and that the petitioner
being husband is in custody since 26.03.2015 having no criminal
antecedent, the informant has lodged this case under wrong advice
of the enemies of the petitioner but after realizing the truth, the
informant has not supported the prosecution version as he has

been examined as PW 6 in Sessions Trial No. 115 of 2015 arising out of this case and further the wife of the informant has also not supported the prosecution version as PW 3 in that sessions trial vide annexure-4 series. The informant has filed compromise petition also which is annexed with supplementary affidavit.

Learned APP fairly submits that now the informant is retracting from his earlier version.

In the facts and circumstances stated above, 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, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 32 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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