

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3209 of 2016

Arising Out of PS.Case No. -182 Year- 2014 Thana -NIRMALI District- SUPAUL

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1. Subhash Chaudhary Son of Domi Chaudhary Resident of Village-
Nirmali Bazar Police Station- Nirmali, District- Supaul.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. M. Rab, (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 16-03-2016

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

The petitioner seeks bail in connection with Nirmali P.S.
Case No. 182 of 2014 registered for the offence punishable under
Sections 304B/34 of the Indian Penal Code.

Allegedly, Rubi Devi, the daughter of the informant, was
married to the petitioner on 17.04.2014 and due to non-fulfillment
of demand of motorcycle she was being tortured and assaulted and
ultimately she was burnt and during treatment she died.

Submission is of false implication and that during
investigation the informant and other witnesses have stated that
Rubi Devi was married with Prbhash Chaudhary and accordingly,
chargesheet has been submitted against Prabhash Chaudhary but
the petitioner is suffering in custody. Further during investigation
it has transpired that Rubi Devi committed suicide by burning

herself due to trivial dispute and as such the petitioner who is suffering in custody since 17.08.2015 deserves sympathetic consideration to which learned APP opposes by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 S.D.J.M., Birpur (Supaul) in connection with Nirmali P.S. Case No. 182 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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