

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4405 of 2016

Arising Out of PS.Case No. -141 Year- 2014 Thana -FATEHPUR District- GAYA

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1. Sunil Sharma Son of Surendra Sharma, Resident of Village - Meyari,
P.S. - Fatehpur, District - Gaya. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ahtash Ali Khan (App)

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

ORAL ORDER

4 28-03-2016

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

The petitioner seeks bail in connection with Fatehpur
P.S. Case No. 141 of 2014 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Poonam Devi, the daughter of the informant, was
married to the petitioner and allegedly, she was burnt by the
petitioner and other in-laws by sprinkling kerosene oil and she was
being treated in Magadh Medical College Hospital, Gaya.
However, for better treatment she was brought at Jai Prakash
Narayan Hospital where during treatment she died.

Submission is of false implication and that the wife of
the petitioner received burn injury when she was cooking food on
07.05.2015 and the informant was informed on that date itself
which is mentioned in the first information report also but on

30.05.2015 after the death of the wife of the petitioner the case has been lodged. During investigation the witnesses have stated that the wife of the petitioner received burn injury when she was cooking food to which learned APP opposes by submitting that the petitioner and other in-laws were demanding Rs. 80,000/- by way of dowry.

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 Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 141 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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