

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5785 of 2016

Arising Out of PS.Case No. -201 Year- 2014 Thana -BARUN District- AURANGABAD

=====

1. Mahabir Prasad Soni @ Mahabir Seth Son of Late Laldeo Seth resident of village - Darigaon, P.S. Darigaon (Sasaram), District - Rohtas at Present Barun, P.S. Barun, District - Aurangabad (Bihar).... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Amrendra Prasad (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 01-04-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Barun P.S. Case No. 201 of 2014 registered for the offence punishable under Sections 304B of the Indian Penal Code.

Sarita Devi, the daughter of the informant, was married to the petitioner but after some days the petitioner started assaulting her for not bringing sufficient dowry and further demanded Rs. 50,000/- to do business and due to non-fulfillment of the demand she was burnt and was brought for treatment at Sadar Hospital, Aurangabad where she died.

Submission is of false implication and that earlier no complaint was made regarding demand made by the petitioner or any one, as a matter of fact at the time of cooking meal the wife of the petitioner received burn injury and the petitioner brought her in the

hospital for treatment, the informant was duly informed but after the death the informant lodged this false case, the witnesses Sanjay Paswan and Rajendra Thakur vide paragraph 9 and 10 of the case diary have stated that the wife of the petitioner received burn injury herself and the petitioner and villagers brought her at hospital for treatment.

Learned APP opposes the prayer of bail 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 the 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 Sessions Judge, Aurangabad in S. Tr. No. 152 of 2015 arising out of Barun P.S. Case No. 201 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)

avin/-

U		T	
---	--	---	--