

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5272 of 2016

Arising Out of PS.Case No. -196 Year- 2015 Thana -FALKA District- KATIHAR

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1. Bombom Yadav @ Bambam Yadav son of Sukhdeo Yadav resident of
Amol, Gerabari, P.s. Falka, District- Katihar..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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

ORAL ORDER

3 30-03-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Falka P.S.
Case No. 196 of 2015 registered for the offence punishable under
Section 304B of the Indian Penal Code.

Chano Devi, the sister of the informant, was married to
the petitioner four years ago and allegedly, for dowry she was
assaulted and administered poison, resulting, during treatment at
Sadar Hospital, Katihar she died.

Submission is of false implication and that due to some
trivial dispute the wife of the petitioner consumed poison herself
and this fact was informed to the informant and then he came to
Sadar Hospital, Katihar where treatment was going on, during
investigation witnesses, vide paragraph 7 to 9 of the case diary,
have not supported the prosecution version and they have stated

that the wife of the petitioner was short temper lady and she was beating her child and when her mother-in-law forbade her, she consumed poison and as such the petitioner deserves sympathetic consideration to which learned APP submits that the petitioner is the husband of the deceased.

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 Chief Judicial Magistrate, Katihar in connection with Falka P.S. Case No. 196 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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