

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10041 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

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1. Yogesh Singh @ Yugesh Singh son of Brij Nandan Singh, Resident of village- Masharh, P.s.- Udwantnagar (Gajrajganj), District- Bhojpur at Ara

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-04-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Udwantnagar (Gajrajganj) P.S. Case No. 158 of 2015 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Vinita Devi, the daughter of the informant was married to the petitioner in the year 2011 and allegedly, due to non-fulfillment of demand of additional dowry by way of cash, she was burnt by the petitioner and other in-laws and during treatment she died.

Submission is of false implication and that no demand was ever made by the petitioner or his family



members, the informant with oblique motive has lodged this false case, during investigation it has come that no demand was ever made and there was good relation. Further, witness Rakesh Singh vide para-41 of the case diary has stated that after taking advantage of the absence of the petitioner and other family members, the wife of the petitioner burnt herself and after completing investigation, charge-sheet has been submitted under Section 306 of the Indian Penal Code and, as such, the petitioner deserves sympathetic consideration, to which the learned APP opposes by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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, Bhojpur at Ara in connection with Udwantnagar (Gajarajganj) P.S. Case No. 158 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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