

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10405 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -BIKRAM District- PATNA

=====

1. Harendra Sharma, Son of Jitendra Sharma, Resident of Village-
Gorakhari, Police Station- Bikram, District- Patna..... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Rajendra Singh Shastrijee (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Bikram
P.S. Case No. 38 of 2015 registered for the offences punishable
under Sections 304B, 201/34 of the Indian Penal Code.

Shimpi Devi, the daughter of the informant, was married
to the petitioner six years ago and allegedly, she was burnt to
death and her dead body was also taken away by the petitioner and
other in-laws to destroy the evidence.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, the wife of the
petitioner was a short temper lady and due to trivial dispute she
committed suicide by burning herself after closing the door, out of
the wedlock there is a six years old son, during investigation this
fact has come vide paragraph 12, 14, 15 and 16 of the case diary

and as such the petitioner who is suffering in custody since 29.10.2015 having no criminal antecedent deserves sympathetic consideration to which learned APP opposes.

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 Sri Randhir Kumar, J. M. Ist Class, Danapur in connection with Bikram P.S. Case No. 38 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.

avin/-

(Jitendra Mohan Sharma, J)

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