

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15252 of 2016

Arising Out of PS.Case No. -786 Year- 2014 Thana -NAWADA District- NAWADA

Sanjiv Kumar @ Sanju S/o Sachidanand Choudhary R/o Mohalla - Navi Nagar, P.S. - Nawada, District - Nawada.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra

For the Opposite Party/s : Mr. Abhay Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-05-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in connection with Nawada Town P.S. Case No. 786 of 2014 registered for the offence punishable under Section 304B of the Indian Penal Code.

Renu Devi, the younger sister of the informant was married to the petitioner in Rajrappa Temple, Ramgarh on 30.11.2014 and allegedly, the petitioner and other in-laws started demanding Rs. 5 lakhs and for that she was being tortured and ultimately she was strangulated to death and the dead body was hanged.

Submission is of false implication and that the



petitioner never demanded anything, without dowry the marriage was performed in the temple, it was third marriage of the deceased which has come during investigation, from post-mortem report also, it reveals that the cause of death was asphyxia due to hanging. The wife of the petitioner committed suicide, the witness Vinod Prasad Verma during investigation vide para 7 of the case diary has supported the defence version regarding suicide and further other witnesses have also stated. The petitioner, without any fault, is suffering in custody since 21.12.2014 having no criminal antecedent.

The learned APP duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that trial is in progress and all the prosecution witnesses have been examined and only I.O. has to be examined.

In the facts and circumstances stated above, considering that 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 3rd Additional Sessions Judge, Nawada in connection with Nawada Town P.S. Case No. 786 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)

Mishra/-

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