

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15084 of 2016

Arising Out of PS.Case No. -50 Year- 2015 Thana -TARIYANI CHOWK District- SHEOHAR

Bhanu Kumar Singh @ Bahnu Pratap Singh Son of Satyendra Prasad Singh
Resident of Village- Tariyani Chapra, P.S.- Tariyani, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Kumar Singh Son of Late Lal Babu Singh, Resident of Village- Baraitha, P.S.- Katra, District- Muzaffarpur.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy
For the Opposite Party/s : Mr. C.Jawahar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-05-2016 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 Session Trial No. 07 of 2016 arising out of Tariyani P.S. Case No. 50 of 2015 registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

Pooja, the younger sister of the informant was married to the petitioner six year ago and allegedly for dowry she was being tortured and burnt by the petitioner and other in-laws, however, the informant gifted him Glamour motorcycle but ultimately Pooja was assaulted and killed and further her dead body was cremated.



Submission is of false implication and that there was cordial relation between the petitioner and his wife, out of the wedlock there are two children, the wife of the petitioner was suffering from Diarrhea, she was brought to the clinic of Dr. Nirmal Singh to Sitamarhi where during course of treatment she died vide Annexure-2, the informant and another were informed and they participated in shradh ceremony but thereafter they lodged the false case. During investigation, witnesses have supported that the deceased died due to Diarrhea during course of treatment in the clinic of Dr. Nirmal Singh vide para 22, 23 and 24 of the case diary and further the informant has also stated that his sister died due to illness in the clinic at Sitamarhi vide para 27. The mother of the deceased has also stated similarly vide para 28 and the doctor has supported the same in Para 31 of the case diary. The compounder of the said clinic has also stated similarly vide paragraph 32 of the case diary.

The learned APP submits that now informant is not supporting the prosecution version. During examination in session trial no. 07 of 2016, the informant has turned hostile.

In the facts and circumstances stated above, 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 Sessiions Judge, Sheohar in connection with Session Trial No. 07 of 2016 arising out of Tariyani P.S. Case No. 50 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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