

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18649 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -KOTWALI District- MUNGER

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1. Bijendra Sharma @ Bobby Son of Late Adhiklal Sharma, R/o Village-
Raisar Madhopur, P.S.- Kotwali, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravina Kumari

For the Opposite Party/s : Mr. A.L.Pandit(App)

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

5 29-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kotwali
(Munger) P.S. Case No. 85 of 2015 in S.T. No. 190 of 2015
registered for the offence punishable under Section 304(B) of the
Indian Penal Code.

Allegedly, the petitioner informed the informant that
his sister has hanged herself and then the informant and his family
members went to the in-laws house of Sinki Devi from where all
have fled away except her mother-in-law and it is alleged that the
petitioner used to demand dowry by way of cash of Rs. 1,00,000/-,
T.V., refrigerator and bed and due to non-fulfillment, the sister of
the informant has been killed by strangulating her and the

petitioner gave wrong information.

Submission is of false implication and that marriage has taken place in the year 2009 and out of the wedlock there is a son aged four years, nothing was ever demanded by the petitioner, the wife of the petitioner was a short tempered lady and due to some petty dispute she committed suicide by hanging herself, no external injury has been found on the body of the deceased except ligature mark on the neck, the cause of death has been found due to hanging and, as such, the allegation that deceased was strangled to death appears false, independent witnesses have not supported the prosecution version and only they have stated that between husband and wife dispute used to be occurred, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence. The petitioner is suffering in custody since 04.04.2015.

The learned APP submits that the petitioner is the husband.

In the facts and circumstances stated above, considering that investigation against the petitioner is complete 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 Addl. Sessions Judge Vth, Munger in connection with Kotwali (Munger) P.S. Case No. 85 of 2015, S.T. No. 190 of 2015 subject to the conditions that one of the bailors must be 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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