

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22155 of 2016

Arising Out of PS.Case No. -668 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Chitranjan Singh son of Laxman Singh resident of Village Silauta, P.S. Chand, District Kaimur at Bhabua, at present Professor Colony, Ward No.5, Bhabua, P.S. Bhabua, District Kaimur at Bhabua..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 12-07-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Bhabua P.S. Case No. 668 of 2015 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Kaushiki Devi, the daughter of the informant, was married to the petitioner as the petitioner has got no son from his first wife and allegedly, due to non-fulfillment of demand of dowry the petitioner and other co-accused killed Kaushiki and hanged her in ceiling fan.

Submission is of false implication and that the allegation for demanding dowry is imaginary and concocted, the informant has performed marriage of his daughter to the petitioner knowingly that the petitioner was having his first wife, the



deceased was not happy with the said marriage and she used to quarrel, before the occurrence the informant has come in her room, the informant forbade and chided her also, the deceased committed suicide, independent witnesses during investigation vide paragraph 11, 12, 13, 21, 24 and 25 of the case diary have stated that the deceased committed suicide, the doctor who has conducted post mortem examination has also found the cause of death due to hanging and as such the petitioner who is suffering in custody without any fault deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that it is a pre-planned murder, the petitioner has earlier filed informatory petition that the informant is pressurizing him to marry with his daughter though he had already married with the deceased from earlier and the witnesses examined during investigation are the men of the petitioners.

In the facts and circumstances stated above, considering that the independent witnesses are not supporting the prosecution version as stated above, 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 the learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 668 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.

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(Jitendra Mohan Sharma, J)

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