

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22241 of 2016**

Arising Out of PS.Case No. -950 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Kundan Jha Sono f Prem Kant ha @ Prem Kumar ha, Resident of  
Village - haptan, P.S. - Ahiyapur, District - Muzaffarpur. . .... Petitioner  
Versus

The State of Bihar ... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. B.N.Panday(App)

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

**ORAL ORDER**

4 04-07-2016

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

The petitioner seeks bail in connection with Ahiyapur P.S.  
Case No. 950 of 2015 registered for the offences punishable under  
Sections 304-B, 201/34 of the Indian Penal Code.

Preeti Kumari, the daughter of the informant, was married to  
the petitioner on 23.04.2015 and allegedly, due to non-fulfillment of  
demand of dowry by way of Rs. 2,00,000/- she was being tortured and  
ultimately she was killed and her dead body was also made traceless.

Submission is of false implication and that the wife of the  
petitioner was a patient of epilepsy, she was being treated by various  
doctors vide annexure- 2 series, she died during treatment on  
09.10.2015 which is evident from the medical certificate granted by Dr.  
P. K. Mishra at page 16 of the brief. During investigation prosecution  
story has not been found true in its entirety, resulting, other co-accused  
have not been sent up for trial and chargesheet has been submitted only

against the petitioner, the petitioner is suffering in custody since 04.01.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband.

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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 950 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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