

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45969 of 2015

Arising Out of PS.Case No. -110 Year- 2008 Thana -BHAWANIPUR District- PURNIA

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1. Amit Singh @ Minku Singh son of Shri Mukesh Singh, R/o village-
Akbarpur, P.S. Bhawanipur, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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

3 08-01-2016 Heard learned Sr. Counsel for the petitioner and

learned counsel representing the State.

The petitioner seeks bail in connection with
Bhawanipur (Akbarpur) P.S. Case No. 110 of 2008 registered for
the offences punishable under Sections 304B, 201/34 of the
Indian Penal Code.

Ambey Kumari the niece of the informant was married to
the petitioner in July, 2008 after kidnapping her and the petitioner
started demanding dowry of Rs.2,00,000/- and a motorcycle and due
to non-fulfillment, the petitioner and others started torturing her
and ultimately killed her and threw the dead body after cutting into
pieces as informed by the driver of the tractor Sunil Mehta.



Submission is of false implication and that Sunil Mehta has been examined under Section 164 Cr.P.C. wherein he has not stated as like the statement given by the informant in his fardbeyan, the informant has been examined in Sessions Trial as PW 4 but he has not supported the allegation of demand of dowry and further has stated in paragraph 6 that how Ambey Kumari died he does not know and as such the petitioner who is suffering in custody since 04.08.2015 deserves sympathetic consideration as the petitioner had arranged love marriage with the deceased and due to some dispute she committed suicide.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the informant examined as PW 4 during trial has not supported the allegation of demand of dowry and further has stated that he does not know as to how Ambey Kumari died 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 learned Chief Judicial Magistrate, Purnea in connection with Bhawanipur (Akbarpur) P.S. Case No. 110 of 2008, 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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