

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46014 of 2015

Arising Out of PS.Case No. -280 Year- 2014 Thana -KARAHGAR District- SASARAM (ROHTAS)

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1. Tulsi Sah @ Suraj Sah son of Sambhu Sah resident of vill.- Sahar Medini, P.O.- Bisodihri, P.S.- Kargahar (Sidhi) District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sangita Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 27-01-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 304 (B), 120 (B) and 201 of the I.P.C

Gita Devi, the daughter of the complainant/informant, was married to the petitioner on 02.06.2013 and due to non fulfillment of demand of dowry by way of Rs. 3,50,000/- she was being tortured and ultimately she was done to death by the petitioner and other in-laws and the dead body was also cremated.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, wife of the petitioner died due to abdominal pain and the informant was also informed, the informant participated in the cremation but later on

lodge this false case, during investigation several witnesses vide paragraphs- 17, 29, 30, 33 and 34 of the case diary have stated that the deceased died due to abdominal pain.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances as stated above, considering that during investigation several witnesses have not supported the prosecution version and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Sasaram, Rohtas in Kargahar (Sidhi) P.S. Case No. 280 of 2014, 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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