

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50495 of 2015**

Arising Out of PS.Case No. -71 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

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Shambhu Kumar Singh @ Shambhu Singh S/o Ramkewal Singh @ Kewal Singh Resident of village - Nawakhap, P.S. Rafiganj, District - Aurangabad

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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

**ORAL ORDER**

4 29-02-2016

Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Rafiganj P.S. Case No. 71 of 2015 registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Guriya Devi, the daughter of the informant was married to petitioner in the year 2009 and allegedly, due to non-fulfillment of demand of dowry by way of Rs. 20,000/- and gold chain, she was being tortured and ultimately she was killed by the petitioner and other in-laws and her dead body was also cremated.

Submission is of false implication and that the petitioner was having cordial relation with his wife and out of the wedlock there are two children, nothing was demanded by the petitioner or any in-laws, wife of the petitioner due to petty

dispute committed suicide, the informant after realizing the truth has also filed compromise petition in this regard in learned court below and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 24.09.2015.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that now the informant is not ready to support the prosecution case.

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 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 C.J.M, Aurangabad in connection with Rafiganj P.S. Case No. 71 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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