

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53495 of 2015

Arising Out of PS.Case No. -219 Year- 2014 Thana -CHAPRA MUFFASIL District- SARAN

Sumer Sharma @ Sumeshar Sharma s/o Late Sukhdeo Sharma resident of village- Sandha Newaji Tola, P.S. Chapra Mufassil, District- Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary-1(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 02-03-2016

F.S.L. report has been received in a sealed bag and after opening the seal, the same has been perused.

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

The petitioner seeks bail in connection with Chapra Mufassil P.S. Case No. 219 of 2014 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Guriya Kumari, the sister of the informant was married to the petitioner on 07.07.2008 and allegedly, the petitioner and other in-laws started demanding dowry by way of Rs. 1,00,000/- and due to non-fulfillment, she was being tortured resulting amount of Rs. 50,000/- was paid and from that amount, the petitioner purchased motorcycle and again started demanding the rest amount and for that father of the informant lodged *Sanha* bearing no. 1419 of 2012 in the court of C.J.M., Saran at Chhapra

and ultimately she was killed and when they were trying to cremate the dead body the informant went there and lodged the case.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, out of the wedlock there are three daughters and there is none to look after those three daughters, the wife of the petitioner died due to severe stomach pain in the way to doctor and after the death the informant was informed but he lodged this case.

The learned A.P.P. opposes the prayer of bail by submitting that in F.S.L. report aluminum phosphide was detected which is highly poisonous and there is allegation for demanding dowry repeatedly by the petitioner.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

However, considering the detention of the petitioner, let the trial be expedited.

Let the F.S.L. report be returned after proper sealing to the lower court.

(Jitendra Mohan Sharma, J)

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