

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56046 of 2015

Arising Out of PS.Case No. -1 Year- 2015 Thana -CHAKAI District- JAMUI

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Rabishankar Pandey Son of Shyam Sundar Pandey, Resident of Village -
Dirangi, P.S. - Chakai, District - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Chakai
P.S. Case No. 01/2015 registered for the offence punishable under
Sections 304(B) of the Indian Penal Code.

Allegedly, Kalpana, the daughter of the informant was
married to petitioner on 19.05.2014 and due to non-fulfillment of
demand of dowry by way of Rs. one lac cash, L.C.D. T.V. and
gold chain, she was being assaulted by the petitioner and other in-
laws and ultimately she was done to death and tried to conceal the
evidence.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, recently the
behavior of wife of the petitioner has changed and she was not



ready to live with the petitioner and after writing a suicidal note, she committed suicide. In the post-mortem report, ligature was found and except that no injury was found on her person. In inquest also the cause of death appears to be hanging. During investigation independent witnesses namely, Jagannath Pandey, Rajendra Pandey and Ram Kumar Pandey vide para 5, 6 and 7 of supplementary case diary dated 27.9.2015, have not supported the prosecution case and it reveals that the illegal action of the deceased was opposed by the petitioner and, as such, the petitioner who is suffering is custody since 29.06.2014, deserves sympathetic consideration to which learned A.P.P. opposes.

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 Judicial Magistrate, 1st Class, Jamui in connection with Chakai P.S. Case No. 01 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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