

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58024 of 2015

Arising Out of PS. Case No. -57 Year- 2015 Thana -SAHPUR District- PATNA

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1. Bimlesh Kumar Son of Rajendra Singh, Resident of Village / Mohalla -
new Mobarakpur, Bijapat, Police Station - Shahpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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

3 11-04-2016 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 Sahpur
P.S. Case No. 57 of 2015 registered for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

Sarita Kumari, the daughter of the informant was
married to the petitioner in the year 2012 and allegedly, due to
non-fulfillment of demand of dowry by way of four wheeler, she
was being tortured and assaulted by the petitioner and other in-
laws and ultimately she was killed by them and her dead body was
brought after keeping the same in a bag but due to timely
intervention of the police, the dead body was recovered.



Submission is of false implication and that there was cordial relation between the petitioner and his wife, due to some trivial dispute the wife of the petitioner committed suicide by hanging, during investigation all the witnesses vide para 6, 7, 8, 9, 15, 16, 18 and 19 of the case diary have stated that the wife of the petitioner committed suicide, no demand of any kind was ever made and the doctor has also found the cause of death due to asphyxia and shock as a result of hanging by cord. The petitioner is suffering in custody without any fault since 03.04.2015 and, as such, he deserves sympathetic consideration to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes by submitting that the petitioner and his family members after killing Sarita Kumari were trying to dispose of her dead body by bringing the same in a bag.

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 Sri. A.K. Thakur, learned Judicial Magistrate, 1st Class, Danapur, Patna in connection with Sahpur P.S. Case No. 57 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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