

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6017 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -PARAIYA District- GAYA

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1. Sujit Kumar, son of Sri Kamal Kishore Prasad, resident of Village- Bali,
P.S. Paraiya, District- Gaya..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Mr. Arbind Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-04-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Paraiya P.S. Case No. 30 of 2015 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Soni Kumari, the daughter of the informant, was married to the petitioner in the year 2012 and out of the wedlock a daughter was born. Allegedly, the petitioner and other in-laws started demanding cash of Rs. 1,00,000/- to purchase new tractor and due to non-fulfillment they killed her after roping in her neck.

Submission is of false implication and that the petitioner was having cordial relation with his wife, the wife of the petitioner was shot temper lady and during investigation witnesses Shambhu Saran Prasad and Ganauri Prasad vide paragraph 19 and 20 of the case diary have stated that the wife of the petitioner committed suicide by hanging herself and at the time of occurrence the petitioner was not present in

the house and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner is the husband and cause of death is shock and asphyxia as a result of pressure over neck (strangulation).

In the facts and circumstances stated above, considering the statement of those two witnesses vide paragraph 19 and 20 of the case diary and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, 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 Chief Judicial Magistrate, Gaya in connection with Paraiya P.S. Case No. 30 of 2015, 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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