

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.429 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -RAJOUN District- BANKA

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1. BIPIN HARIJAN @BIPIN DAS Son of Manoj Harijan Resident of
Village- Mohanpur, p.s Rajoun, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, adv.

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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

ORAL ORDER

4 03-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Rajoun
P.S. Case No. 90 of 2015 registered for the offences punishable
under Sections 304(B) and 323/34 of the Indian Penal Code.

Khusbhu Devi, the daughter of the informant was
married to the petitioner three years ago and allegedly, for non-
fulfillment of demand of dowry by way of Rs. 50,000/- she was
poisoned to death by the petitioner and other in-laws.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, out of the
wedlock there is a son also, the wife of the petitioner was short
tampered lady and she consumed poison herself, the witnesses
have stated in this regard during investigation that the deceased

consumed poison herself and without any fault the petitioner is suffering in custody since 11.06.2015. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail by submitting that petitioner is the husband.

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., Banka in connection with Rajoun P.S. Case No. 90 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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