

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38190 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -ANDER District- SIWAN

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Chandan Singh, S/o Sri Prakash Singh, R/o vill. - Ujjain Bangara, P.S.
Andar, Distt. - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party : Mr. Sri Mustaque Alam (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-10-2016 Heard learned counsel for the petitioner and the learned
counsel representing the State.

The petitioner seeks bail in connection with Ander P.S
Case No. 153 of 2015 registered for the offences punishable under
Sections 328, 304(B)/34 of the Indian Penal Code.

Priyanka Devi, the sister of informant was married to the
petitioner in the year 2011 and due to non-fulfillment of demand of
dowry she was being tortured by the petitioner and other in-laws and on
19.10.2015 the informant came to now that she has been killed by
administering poison and they are ready to take the dead body for
cremation.

Submission is of false implication and that after
completing investigation charge sheet has been submitted under section
306 of the Indian Penal Code. The petitioner and others have brought

Priyanka Devi for treatment and during treatment she died, the deceased died due to septicemia, no body has administered poison to her. The petitioner is suffering in custody since 20.10.2015, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

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 charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned D.K. Mishra, Judicial Magistrate 1st Class, Siwan, in connection with Ander P.S. Case No. 153 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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