

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46512 of 2016

Arising Out of PS.Case No. -97 Year- 2015 Thana -GAYA MUFFSIL District- GAYA

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Nand Kishore Sharma, S/o Ram Cahndra Thakur, resident of village-
Mastalipur, Police Station- Muffasil, in the District of Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Sri Anil Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 25-10-2016

Heard learned counsel for the petitioner

and the State.

Petitioner being the husband of the
informant is languishing in custody since 13.07.2016 in a
case registered for the offences punishable under Sections
323, 307, 498A/34 of the Indian Penal Code.

The prosecution case is that the informant
was married with the petitioner in 2008. Subsequently,
torture was inflicted for non-fulfillment of dowry demand.
On 07.02.2015 the informant was talking to the petitioner
at 12.30 in the night, in the meantime the informant's
father-in-law, mother-in-law and sister-in-law came and
sprinkled kerosene oil on the body of the informant and lit
fire. The petitioner being husband of the informant tried to
extinguish the fire and brought her to hospital but
subsequently the petitioner left the informant in the

hospital. Even assuming the accusation at best a case of negligence is made out against the petitioner. No overt act has been alleged against the petitioner. Statement has been made in para-10 of the petition that petitioner is still ready to keep the informant as wife with full dignity and honour.

Considering the thrust of accusation against the other family members of the petitioner and the present stand of the petitioner, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 97 of 2015.

(Dinesh Kumar Singh, J)

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