

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3851 of 2016

Arising Out of PS.Case No. -146 Year- 2015 Thana -BARUN District- AURANGABAD

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Tinku Singh @ Abhimanyu Singh S/o Binod Singh Resident of Village-
Ithat, P.S. Barun, District Aurngabad,(Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

3 17-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Barun
P.S. Case No. 146 of 2015 registered for the offences
punishable under Sections 304(B), 201/34 of the Indian Penal
Code.

Bandna Devi, the daughter of the informant, was
married to the petitioner in June, 2012 and out of the wedlock,
there is one son and one daughter and allegedly, due to non-
fulfillment of demand of dowry by way of Rs. one lakh she was
killed by the petitioner and other in-laws and her dead body was
also cremated.

Submission is of false implication and that there



was cordial relation between the petitioner and his wife, the son is aged two years and the daughter is aged eight months, the wife of the petitioner was suffering from cancer and she was being treated in Mahavir Cancer Sansthan, vide Annexure-2 series. The wife of the petitioner died due to illness and the informant was duly informed. In the presence of the informant, the dead body was cremated but for wrongful gain, the informant lodged this case resulting the petitioner is suffering in custody since 03.11.2015, during investigation the independent witnesses vide paras 11, 12, 13, 14 and 15 of the case diary have not supported the prosecution version by stating that the wife of the petitioner was never tortured.

The learned A.P.P. opposes the prayer of bail by submitting that the 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, 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, Aurangabad in connection with Barun P.S. Case No. 146 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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