

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7058 of 2016

Arising Out of PS.Case No. -17 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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1. Mintu Kumar @ Pintu Kumar, S/o Ramroop Sao, R/o Vill.- Kasuati,
P.S:- Karpi, Distt:- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Pushpa Sinha 2(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 03-03-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Arwal (Mahila) P.S. Case No. 17 of 2014 registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Sumanti Kumari, the daughter of he informant was married to the petitioner on 30.07.2010 and allegedly, due to non-fulfillment of demand of dowry she was being assaulted and ultimately was killed and her dead body was also cremated by the petitioner and other in-laws.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, the wife of the petitioner died due to diarrhea, the informant was duly informed but after being instigated by some of the enemies of the petitioner,

the informant lodged this case. However, after realizing the truth the informant has filed petition in the court of C.J.M., Arwal vide annexure-2 stating innocence of the petitioner and his family members.

The learned A.P.P. submits that now the informant is retracting from his earlier version.

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., Arwal in connection with Arwal (Mahila) P.S. Case No. 17 of 2014 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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