

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47304 of 2014

Arising Out of PS.Case No. -201 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Sheikh Noor Hassan Son of Sheikh Ali Baksh Resident of Village -
Shekhauna, P.S. - Jagdishpur, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.47304 of 2014)

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Anuradha Singh (App)

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

ORAL ORDER

8 08-02-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offence

punishable under section 304 B/34 of the I.P.C

Rehana Khatoon, the daughter of the informant, was

married to the petitioner 2- 2 ½ years ago and due to bringing less

dowry she was being tortured by the petitioner and other in-laws

and ultimately due to non fulfillment of demand of Rs. 1,00,000/-

and motorcycle she was strangled to death by the petitioner and

other in-laws.

Submission is of false implication and that during



postmortem examination the doctor has not found any sign of injury on her neck or on her body, in the FSL report also no poisonous substance has been detected, there was cordial relation between the petitioner and his wife and she died natural death but the informant due to dispute regarding *stridhan* lodged this case with wrong allegation resulting the petitioner is suffering in custody since 08.08.2014 having no criminal antecedent, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is the husband and the witnesses during investigation have supported the allegation of demanding dowry.

In the facts and circumstances as stated above, considering that the doctor has not found any external injury on any part of the body and after chemical analysis of viscera also no poisonous substance has been found and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri N.P. Singh, J.M. 1st Class, Bettiah, West Champaran in Nautan (Jagdishpur) P.S. Case No. 201 of 2014, 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)

Abhay/-

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