

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.8749 of 2016**

Arising Out of PS.Case No. -535 Year- 2013 Thana -BARAUNI District- BEGUSARAI

1. Kanhaiya Thakur Son of Ganesh Thakur R/o Village- Paprou P.s  
Barauni District Begusarai..... Petitioner

Versus

1. The State of Bihar .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Pushpa Sinha No.2 (App)

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

ORAL ORDER

3 20-04-2016

Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Barauni P.S.  
Case No. 535 of 2013 registered for the offence punishable under  
Sections 304B/34 of the Indian Penal Code.

Kajal Devi, the daughter of the informant, was married to  
the petitioner on 10.05.2012 and allegedly, due to non-fulfillment  
of demand of dowry she was being tortured and ultimately she was  
burnt to death by the petitioner and other in-laws.

Submission is of false implication and that the petitioner  
is suffering in custody since 18.11.2013 and up till now there is no  
progress in the case, during investigation witnesses Ram Lal  
Thakur and Vijay Thakur have stated that the wife of the petitioner  
committed suicide due to some trivial dispute and as such the  
petitioner deserves sympathetic consideration to which the learned

APP opposes by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering the period of detention, 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 Sri Rameshwar Mishra, J. M. Ist Class, Begusarai in connection with Barauni P.S. Case No. 535 of 2013, 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.

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**(Jitendra Mohan Sharma, J)**

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