

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11161 of 2016

Arising Out of PS.Case No. -453 Year- 2014 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Krishna Chaudhary son of Biyash Chaudhary, resident of village-
Serahwa, Dhankutawa Tola, P.S.- Shikarpur, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar(App)

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

3 28-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Shikarpur
P.S. Case No. 453 of 2014 registered for the offences punishable
under Sections 304(B) and 201/34 of the Indian Penal Code.

Punam Devi, the daughter of the informant was
married to the petitioner one year ago and the informant was
informed by Mukhiya of the Panchayat that his daughter died and
then the informant went there and asked to the petitioner regarding
the cause of death but he did not reply. It is alleged that the
petitioner was demanding Rs. 4,000/- which was not fulfilled and
thereafter, the daughter of the informant was killed by the

petitioner and other in-laws and they were cremating the dead body but due to arrival of the police, they fled away and half burnt dead body was recovered.

Submission is of false implication and that no dowry was ever demanded, the wife of the petitioner died due to illness, during investigation no witness has stated that the petitioner or anyone killed the deceased, at the time of cremation some dispute arose as the informant was demanding handsome money from the petitioner and due to nonpayment, he informed the police and lodged the case. However, now positive sense has prevailed and the informant has filed petition in the court below stating innocence of the petitioner and others and that the deceased died due to illness.

The learned A.P.P. submits that now the informant is not ready to support the prosecution version but the death has been occurred just after one year of the marriage.

In the facts and circumstances stated above, 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 CJM, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 453 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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