

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15331 of 2016

Arising Out of PS.Case No. -89 Year- 2013 Thana -AHIAPUR District- MUZAFFARPUR

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Pramod Kumar son of Nandu Paswan @ Nantu Paswan Resident of Village
- Najipur Bandh @ Najirpur, P.S. - Ahiyapur, District - Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Lallan Kumar(App)

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

3 20-05-2016 Heard the learned counsel for the petitioner as well

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

The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 89 of 2013 registered for the offences
punishable under Sections 304B and 201/34 of the Indian Penal
Code.

Rinki Kumari, the daughter of the informant was
married to the petitioner on 10.06.2012. Allegedly, due to non-
fulfillment of demand of Rs. 1 lakh, she was being tortured by the
petitioner and other in-laws and ultimately she was killed and her
dead body was also cremated.

Submission is of false implication and that there was
cordial relation between the petitioner and the wife, nothing was



ever demanded, as a matter of fact, the wife of the informant was suffering from diarrhea and for treatment she was brought in Jiwandeep Nursing Home, Muzaffapur on 15.02.2013 thereafter she was referred to S.K.M.C.H., Muzaffarpur, but in the way she died. The information was given to her parents and parents came and participated in funeral rites of Rinki Kumari but later on they started making illegal demand and due to non-fulfillment, after lapse of five days, they lodged this false case. The witnesses during investigation have stated that the deceased died due to diarrhea. It is recorded in paragraph 16, 17, 18, 19, 20, 21 and 22 of the case diary.

The learned APP submits that the petitioner is the husband and chargesheet has already been submitted after finding the case true.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence, 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, Muzaffarpur in connection with Ahiyapur P.S. Case No. 89 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.

(Jitendra Mohan Sharma, J)

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