

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16311 of 2016

Arising Out of PS.Case No. -519 Year- 2015 Thana -BAHERA District- DARBHANGA

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Anil Mukhiya, S/O- Budhan Mukhiya, R/v- Kanthudih (Nathuladih), P.S.-
Bahera, Dist.- Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

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

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

4 27-06-2016

Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Bahera P.S. case no. 519/2015 registered for the offences
punishable under Section 304 (B)/34 of Indian Penal
Code.

Sunita Kumari, daughter of the informant,
was married to the petitioner on 13.02.2013 and allegedly
she was being tortured by the petitioner and other in-laws
and ultimately, information was given to the informant
that she died after hanging herself.



Submission is of false implication and that nothing was ever demanded by the petitioner or anyone, the petitioner was having good relationship with his wife but she was short-tempered lady, due to some petty dispute she committed suicide by hanging herself, the door of the room was closed from inside and after breaking the window, the deceased was found in hanging condition, the informant came and participated in the cremation, thereafter lodged this case resulting petitioner is suffering in custody since 19.01.2015, during investigation witness vide para 11 has stated regarding suicide committed by the deceased and further from para 9 of the case diary it reveals that the deceased has committed suicide.

Learned A.P.P. submits that the petitioner is the husband and there is allegation for demanding she-buffalo.

In the facts and circumstances stated above, considering that charge-sheet has already been submitted

and there is no chance of tampering with the evidence, as such, petitioner 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 learned A.C.J.M., Benipur arising out of Bahera P.S. case no. 519/2015 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 the privilege of bail.

(Jitendra Mohan Sharma, J.)

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