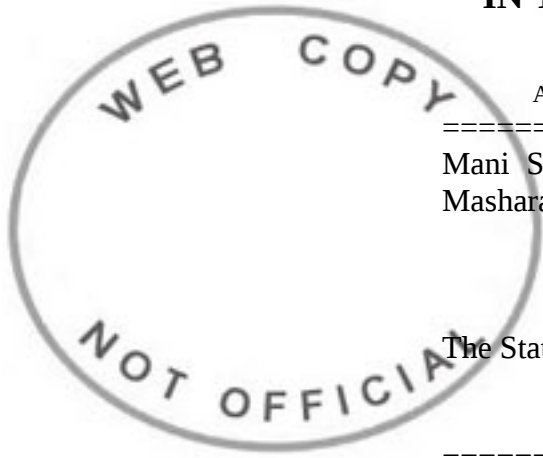




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23326 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -MASRAKH District- SARAN

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Mani Shankar Prasad son of Kanhaiya Lal Prasad, resident of village-
Masharak Gola, P.S.- Masharak, District- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Binod Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in jail custody since
01.03.2016 in connection with Masharak P.S. Case No. 115
of 2015 registered for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

The prosecution case, in brief, is that while the
informant went to take the deceased to participate in the
marriage of his younger sister, accused persons did not allow
the deceased to go due to non-fulfilment of demand of
golden chain and motorcycle. Later, on 11.05.2015,
informant received information on his mobile that his sister

has died. On enquiry, informant came to know that in-laws have killed his sister.

It has been submitted by the counsel for the petitioner that although petitioner is the husband of the deceased, but the marriage was solemnized more than seven years back, hence, Section 304B of the Indian Penal Code is not applicable. He further submits that there is no eye-witness to the occurrence and on the statement that the victim died due to fall from the roof, petitioner has been implicated. He further submits that the matter has been compromised between the parties. He further submits that petitioner undertakes not to tamper with the evidence or abscond.

However, learned A.P.P. for the State submits that the petitioner is the husband and is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since petitioner undertakes not to tamper with the evidence or abscond, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri D.K. Tewari,

learned Judicial Magistrate 1st Class, Saran at Chapra in connection with Masharak P.S. Case No. 115 of 2015.

(Nilu Agrawal, J.)

Arjun/-

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