

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22403 of 2016

Arising Out of PS.Case No. -244 Year- 2015 Thana -MAJHAHGARH District- GOPALGANJ

1. HIRAMAN KUSHWAHA @ HIRAMAN BHAGAT son of Late
Godhan Kushwaha @ Godhan Bhagat, resident of village- Koini, P.S.-
Manjhagarh, District- Gopalganj Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Anusaiya Jaiswal (App)

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

ORAL ORDER

3 12-07-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with
Manjhagarh P.S. Case No. 244 of 2015, G.R. No. 3576 of 2015
registered for the offence punishable under Section 304(B)/34 of
the Indian Penal Code.

Allegedly, Priyanka Devi, the daughter of the
informant was married to the petitioner in the year 2011 and out of
the wedlock there is a two years old daughter. The petitioner was
in service in foreign country and in the meantime, other in-laws,
named in the First Information Report, burnt her due to non-
fulfillment of demand of dowry.

Submission is of false implication and that the
petitioner is not named in the First Information Report but during



investigation, he has also been implicated by the informant and in her further statement and by other witnesses, during investigation, it has come that co-accused, Jairam Kushwaha informed the informant that Priyanka Devi burnt herself by pouring Kerosene oil and her treatment is going on and this shows the innocence of in-laws also, the allegation made subsequently against the petitioner is totally false and concocted, without any fault the petitioner is suffering in custody since 02.03.2016, at the time of occurrence petitioner was in foreign country, other co-accused have been allowed bail and, as such, the petitioner also deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the petitioner is the husband but he is not named in the First Information Report.

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, Gopalganj in connection with Manjhagarh P.S. Case No. 244 of 2015, G.R. No. 3576 of 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 privilege of bail.

(Jitendra Mohan Sharma, J)

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