

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45346 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -OBRA District- AURANGABAD

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Bijendra Singh Son of Sri Jimmedar Singh, Resident of village- Ratwar,
P.S. Obra, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Samrendra

For the Opposite Party/s : Mr. A.A.Khan (App)

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

ORAL ORDER

3 05-01-2016 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Obra P.S. Case
No. 22/2015 registered for the offences punishable under Sections
304B, 201/34 of the Indian Penal Code.

Bably Devi, the daughter of the informant was married with
the petitioner two years ago and due to non-fulfilment of demand
of dowry of motor-cycle and cash of rupees fifty thousand, she
was being assaulted and ultimately, she and her minor daughter
aged one year were burnt by the petitioner and other in-laws
resulting the daughter of the informant died and grand-daughter is
being treated and further the dead-body was cremated.

Submission is of false implication and that the informant
lodged this case on wrong information and after knowing reality



field petition in the Court of Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad stating regarding the innocence of petitioner and his family members and that petition was sent to the I.O. and I.O. has incorporated the same in Paragraph No. 82 of the case diary and as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 14.07.2015. Chargesheet has also been submitted. There is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail but fairly submits that the informant has retracted from her earlier version.

Under the facts and circumstances stated above, considering that now the informant has retracted from her earlier version and has filed petition showing innocence of the petitioner and others and as such, the 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 Sub-Divisional Judicial Magistrate, Daud Nagar, Aurangabad in connection with Obra P.S. Case No. 22/2015, subject to the conditions that one 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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