

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48163 of 2015

Arising Out of PS.Case No. -72 Year- 2014 Thana -MANSI District- KHAGARIA

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Mithun Kumar Son of Kant Lal Singh Resident of village Dharmchak, P.S.
Mansi, District Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

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

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

3 18-01-2016 Heard learned counsel for the petitioner as well as

learned A.P.P. for the state.

The petitioner seeks bail in connection with Mansi P.S.
Case No. 72/2014 registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

Sundari Devi, sister of the informant, was married with
the petitioner three years ago and out of the wedlock there is a
daughter and thereafter the petitioner started demanding Rs.
50,000/- for purchasing a tempo and due to non-fulfillment she
was hanged to death by the petitioner and other in-laws.

Submission is of false implication, the petitioner was
having cordial relation with his wife, he has never demanded
anything from her. The wife of the petitioner committed suicide,

as she was mentally weak and this fact has been supported during investigation vide para 52 of the case-diary. Other co-accused has been allowed bail and as such the petitioner who is suffering in custody since 02.05.2014 deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that witness Bimal Prasad Singh has stated that the deceased committed suicide and further considering the custody of the petitioner, 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 the learned Additional Sessions Judge III, Khagaria in connection with Mansi P.S. Case No. 72/2014, 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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