

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49462 of 2015

Arising Out of PS.Case No. -105 Year- 2015 Thana -PALASI District- ARRARIA

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1. Sikandar Manjhi Son of Dukhan Lal Manjhi resident of Village- Balua
,Kaliyanganj P.S. Palasi District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Binod Kumar 3(App)

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

4 22-02-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under sections 304 (B) and 120 (B) of the I.P.C

Kiran Devi, the daughter of the informant, was

married to the petitioner two years ago and due to non fulfillment

of demand of dowry by way of Rs. 50,000/- she was being

tortured, assaulted and abused and ultimately she was killed by the

petitioner and other in-laws by assaulting her with fists, slaps and

lathi.

Submission is of false implication and that there was

cordial relation between the petitioner and his wife, out of

wedlock there is one child, no any mark of injury was found on the person of the deceased and the doctor who has conducted the postmortem examination has not given any definite opinion regarding the cause of death and viscerae were preserved and as such the petitioner who is suffering in custody since 19.06.2015 deserves sympathetic consideration as charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the sign of assault has been found by the investigating officer during inquest.

In the facts and circumstances as stated above, considering that the doctor has not found any sign of injury on the person of the deceased, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Araria in Palasi P.S. Case No. 105 of 2015, subject to the conditions that one of 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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