

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53503 of 2015

Arising Out of PS.Case No. -51 Year- 2014 Thana -AMNAUR District- SARAN

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1. Raju Mahto, son of Raj Kumar Mahto, resident of Village- Rasulpur, P.S. Amnour, Distt Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-01-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in connection with Amnour P.S. Case No.51 of 2015 registered for the offence punishable under Section 304(B)/34 of the Indian Penal Code.

Allegedly, Sunita Kumari the daughter of the informant was married to the petitioner on 08.05.2014, due to non-fulfillment of demand of dowry by way of Rs. 20,000/- she was being assaulted and tortured and ultimately she was done to death by the petitioner and other in-laws.

Submission is of false implication and that during investigation no independent witness has come to say that deceased was being assaulted and tortured earlier, no complaint was filed against the alleged torture and assault, the doctor has

found the cause of death due to hanging and the informant after realizing the truth has filed compromise petition in the court below after retracting from his earlier version vide Annexure-3.

In the facts and circumstances stated above, considering that now the informant is not ready to support the prosecution case, charge-sheet has already been submitted and, as such, the petitioner, above named, is directed to be release on bail on execution of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of the learned 1st Class, Judicial Magistrate, Saran at Chapra in connection with Amnour P.S. Case No. 51 of 2014, subject to the conditions of 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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