

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57409 of 2015

Arising Out of PS.Case No. -347 Year- 2014 Thana -PURNEA SADAR District- PURNIA

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MD. SATTAR SON OF LATE HUSSAINI. RESIDENT OF VILLAGE-
PITANGIYA MANJHAILI, P.S.- SADAR (MUFFASIL), DISTRICT-
PURNEA (BIHAR).

.... Petitioner/s

Versus

1. THE STATE OF BIHAR.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. M.K. Khare(App)

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

3 12-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sadar
(Muffasil) P.S. Case No. 347 of 2014 registered for the offences
punishable under Sections 304(B), 323, 384, 504, 506 of the Indian
Penal Code.

Though the petitioner is the husband but he is not
named in the FIR wherein there is accusation that other in-laws,
due to non-fulfillment of demand and dowry, killed Shine Praveen,
the daughter of the informant and thereafter hanged her. On the
neck of the deceased there was sign of abrasion of nail and from
ear blood has come out. During investigation, in further statement

the informant, named the petitioner also that he has also demanded dowry.

Submission is of false implication and that the informant only with a view to extract money and after being instigated by the enemies of the petitioner, gave the name of the petitioner in his further statement. During investigation independent witnesses vide para 10, 11, 12 and 13 of the case diary have not supported the prosecution version and they have stated that the wife of the petitioner committed suicide by hanging in the absence of the petitioner. The doctor has also found the cause of death asphyxia due to hanging.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, 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 C.J.M., Purnea in connection with Sadar (Muffasil) P.S. Case No. 347 of 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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