

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.692 of 2016

Arising Out of PS.Case No. -271 Year- 2014 Thana -MALSALAMI District- PATNA

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1. Kallu Mistri Son of Sukhari Mistri Resident of Mohalla- Chhoti Mandiri,
Buchan toli, P.s Malsalami, District Patna..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh

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

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

ORAL ORDER

3 10-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Malsalami P.S.
Case No. 271 of 2014 registered for the offence punishable under
Sections 304B/34 of the Indian Penal Code.

Nilu Devi, the daughter of the informant, was married to
petitioner seven months ago and allegedly, due to non-fulfillment
of demand of motorcycle, she was being tortured and ultimately
was burnt to death by the petitioner and other in-laws.

Submission is of false implication and that the wife of the
petitioner was short tempered lady and due to trivial dispute she burnt
herself and the petitioner and his family members have tried their
best to save her, she was brought to Appolo Burn Hospital and
from there to PMCH, Patna, independent witnesses vide paragraph
58 to 64 have stated that the wife of the petitioner burnt herself

and at that time in the house there was no one and as such the petitioner who is suffering in custody since 21.01.2015 deserves sympathetic consideration and other co-accused have been allowed pre-arrest bail.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 6th Additional Sessions Judge, Patna City in Sessions Trial No. 644 of 2015 arising out of Malsalami P.S. Case No. 271 of 2014, 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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