

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12883 of 2016

Arising Out of PS.Case No. -386 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

1. Gautam Sao Son of Late Suresh Sao, Resident of Village- Budhauri, P.S.
& District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Navin Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 18-05-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 B and 34 of the I.P.C

Mitu Kumari, the daughter of the informant, was
married to the petitioner five years ago and allegedly she was
being tortured by the petitioner and other in-laws and ultimately
due to non fulfillment of demand of vehicle and cash of Rs.
1,00,000/- she was killed and thereafter she was hanged.

Submission is of false implication and that the
petitioner was having cordial relation with his wife, out of the
wedlock there is a son, at the relevant time the petitioner was at
Bombay and in his absence the wife of the petitioner committed
suicide as the petitioner has advised her not to talk with another

person on phone. During investigation the witnesses, vide paragraphs- 15, 16, 17, 18 and 19 of the case diary, have stated that the wife of the petitioner committed suicide and at the relevant time the petitioner was at Bombay and during postmortem also the cause of death was by asphyxia due to hanging and further no cut injury was found.

The learned A.P.P. submits that in the inquest report some injuries are mentioned.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted under section 306 of the I.P.C 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. Sheikhpura in Sheikhpura P.S. Case No. 386 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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