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IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17283 of 2016

Arising Out of PS.Case No. -168 Year- 2015 Thana -BEGUSARAI MUFFASIL District-BEGUSARAI

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1. Rinku Pandit Son of Tulsi Pandit Resident of Village- Ayodhyabari, PS Muffasil, District Begusarai .... Petitioner

Versus

1. The State of Bihar .... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Rai Mukesh Sharma
For the Opposite Party/s : Mr. Md.Fahmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 28-06-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 168 of 2015 registered for the offence punishable under Sections 304B/34 of the Indian Penal Code.

Karanti Devi, the daughter of the informant, was married to the petitioner on 16.04.2014 and allegedly, due to non-fulfillment of demand of additional dowry she was being tortured and for that earlier complaint was made in Mahila Help Line where the matter was compromised and thereafter, the petitioner brought back his wife and burnt her to death.

Submission is of false implication and that no demand was ever made, the wife of the petitioner was not ready to live in her in-laws house and she always used to fled away to her maike, during investigation it has come that the wife of the petitioner committed suicide by burning herself which is evident from paragraph 7, 8, 9 and

10 of the case diary and the Police after investigation has submitted chargesheet under Section 306 of the Indian Penal Code. The petitioner is suffering in custody since 10.12.2015 and there is no chance of tampering with prosecution evidence.

Learned APP submits that the petitioner is the husband.

In the facts and circumstances stated above, 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 Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 168 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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