

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.17022 of 2016**

Arising Out of PS.Case No. -121 Year- 2015 Thana -BARUN District- AURANGABAD

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1. Sunil Kumar Son of Ram Nath Yadav, Resident of village- Dhighi, P.S. Barun, Distt. Aurangabad.... .... Petitioner

Versus

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

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**Appearance :**

For the Petitioner/s : Mr. Anil Kr Singh No. 6

For the Opposite Party/s : Mr. Matloob Rab, (App)

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

**ORAL ORDER**

3 20-06-2016

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

The petitioner seeks bail in connection with Barun P.S. Case No. 121 of 2015 registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

Rina Kumari, the daughter of the informant, was married to the petitioner on 01.06.2015 and allegedly, due to non-fulfillment of demand of dowry by way of motorcycle she was killed by the petitioner and other in-laws and made the dead body traceless.

Submission is of false implication and that there is no specific allegation against the petitioner, other co-accused have been allowed pre-arrest bail, during investigation independent witnesses namely, Jairam Singh, Chinta Kumari and Virendra Rai vide paragraph 9, 10 and 11 have stated that the deceased died due

to attack of epilepsy and as such the petitioner who is suffering in custody since 06.01.2016 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence to which learned APP submits 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, 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, Aurangabad in connection with Barun P.S. Case No. 121 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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