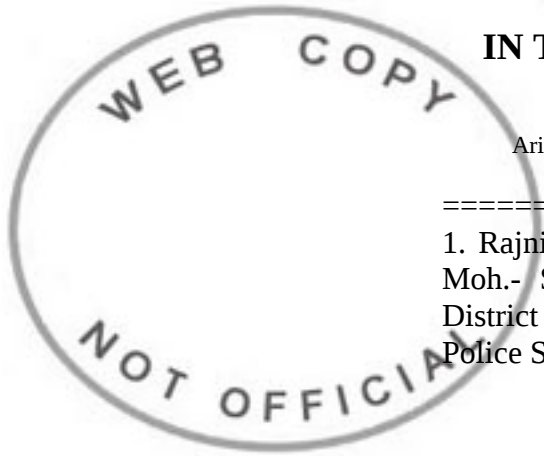




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21004 of 2016

Arising Out of PS.Case No. -319 Year- 2015 Thana -AURANGABAD TOWN District-
Aurangabad.

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1. Rajnish Kumar @ Dindayal son of Sri Brijnandan Sharma, resident of
Moh.- Sri Krishna Nagar, Ahari Madhukar colony Police Station and
District - Aurangabad at present resident of village Swajpura, P.O.- Jaipur,
Police Station- Mahendia, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Abhay Kr. Ray(App)

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

4 01-07-2016 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), 201 and 34 of the I.P.C

Banti Kumari, the daughter of the informant, was
married to the petitioner on 04.06.2014 and allegedly the
petitioner and other in-laws started demanding Alto Car by way of
dowry and due to non fulfillment they killed Banti Kumari and
cremated the dead body.

Submission is of false implication and that the



petitioner and his family members have never demanded anything, there was cordial relation between the petitioner and his wife, earlier no complaint was filed regarding demand of dowry or torture, the wife of the petitioner was suffering from ailment and she was being treated by Dr. Nagendra Prasad Sharma and also in Abhay Institute of Medical Sciences, Gaya, vide Annexures- 2 series, during investigation it has come that the wife of the petitioner died due to illness, vide paragraphs- 48, 49, 50 and other paragraphs of the case diary and as such the petitioner who is suffering in custody since 01.03.2016 deserves sympathetic consideration, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances as stated above, 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. Aurangabad in Aurangabad (Town) P.S. Case No. 319 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)

Abhay/-

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