

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27191 of 2015

Arising Out of PS.Case No. -284 Year- 2014 Thana -DHAMDAHA District- PURNIA

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1. Kaju Mahto S/o Vijay Mahto R/o vill. - Bhumihar Tola Dhamdaha, P.S.
Dhamdaha, Distt. Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Arun Kumar Singh 5 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

9 19-01-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 341, 323, 498 (A), 313 and 304 (B)/34 of the I.P.C

Dimple Kumari, the daughter of the informant, was married with the petitioner two years ago and due to non fulfillment of demand of Rs. 1,00,000/- she was being tortured and ultimately was burnt to death by the petitioner and other in-laws.

Submission is of false implication and that there was cordial relation between the petitioner and his wife, earlier no complaint was made against the petitioner, out of the wedlock a daughter was born but she died subsequently at the house of the

informant and thereafter the wife of the petitioner was under depression and she received accidental fire injury and the petitioner tried to save his wife and the petitioner also received injury which is evident from paragraph-16 of the case diary and further the witnesses vide paragraphs- 26, 27, 28 and 47 have stated that there was some dispute between the petitioner and his wife as the petitioner used to take drink and thereafter the wife of the petitioner received burn injury and as such the petitioner who is suffering in custody since 06.11.2014 deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that the petitioner has also received burn injury which is evident from paragraph- 16 of the case diary 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 2nd Additional Sessions Judge, Purnea in S.Tr. No. 205 of 2015 arising out of Dhamdaha P.S. Case No. 284 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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