

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48533 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -EKMA District- SARAN

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Umesh Mahto Son of Late Muktinath Mahato R/o village - Saphari, P.S.
Ekma, Distt. - Chapra, Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra

For the Opposite Party/s : Mr. Ajay Kumar-Ii(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ekma
P.S. Case No. 72 of 2015 registered for the offence punishable
under Sections 304 (B) /34 of the Indian Penal Code.

Savita Devi, the niece of the informant, was married
to petitioner in the year 2009 and out of the wedlock there is a son
but it was informed that Savita Devi committed suicide by
hanging herself and then the informant went there and lodged the
case.

Submission is of false implication and that no offence
under Section 304(B) IPC is made out, the petitioner was having
cordial relation with his wife but she was sentimental and due to

some dispute she committed suicide, the informant was informed about the same, the petitioner was in Punjab at the relevant time and the deceased and her two year old son were there and as such the petitioner who is suffering in custody since 22.05.2015 deserves sympathetic consideration to which learned A.P.P. opposes by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering that the deceased committed suicide by hanging herself and such the petitioner 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 C.J.M., Saran at Chapra, in connection with Ekma P.S. Case No. 72 of 2015, subject to the conditions that one of the bailors must be 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)

siddharth/-

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