

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53978 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -BANGAON District- SAHARSA

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CHANDAN SHARMA @ NATAY, SON OF BACHAN SHARMA,
RESIDENT OF VILLAGE-PARARI, POLICE STATION-BANGAON,
DISTRICT-SAHARSA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Gulnar Begum (App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-01-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

Petitioner is the husband and death of deceased occurred at her Sasural within seven years of marriage and during midst thereof, she was subjected to torture for procurement of demand of dowry. The informant's son Rajdeep Kumar made a surprise visit on 30.10.2014 found the petitioner indulged in assaulting the deceased who on 31.10.2014 died.

Contention on behalf of petitioner is that all the witnesses that means to say the family members have become volte-face to the prosecution and on account thereof, it has been submitted that it happens to be a fit case wherein petitioner should be granted bail.

The learned Additional Public Prosecutor opposed

the prayer.

From the order, it is evident that only three witnesses have been examined as yet. How many witnesses are named in the charge sheet is yet to know however the order speaks that one Fekni Devi and I.O. are required to be examined in this case.

As such, the learned lower court is directed to procure attendance of those two witnesses and for that, Superintendent of Police, Saharsa is directed to procure attendance of those two witnesses before the court concerned so that on next date evidence of those witnesses be recorded. Office is directed to serve copy of the order upon the Superintendent of Police, Saharsa.

With regard to prayer of the petitioner is concerned, I do not see it a fit case for grant of bail. Accordingly, prayer for bail is rejected.

(Aditya Kumar Trivedi, J.)

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