

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45789 of 2015

Arising Out of PS.Case No. -169 Year- 2013 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

- =====
1. Dharmendra Paswan, son of Late Bishwanath Paswan.
 2. Anita Devi, wife of Late Bishwanath Paswan. Both resident of Village- Harpur Gopalpur, P.S. Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 01-03-2016

The petitioner no.2, namely, Anita Devi has already been allowed bail by order dated 01.10.2015.

Heard the learned counsel for the petitioner no.1 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 and 201/34 of the I.P.C

Asha Devi, the sister of the informant, was married to the petitioner Dharmendra Paswan two years ago and allegedly due to non fulfillment of demand of Rs. 50,000/- and motorcycle by way of dowry she was burnt to death and her dead body was also cremated by the petitioners and other in-laws.

Submission is of false implication and that there was cordial relation between the petitioner no.1 and his wife, the wife of petitioner no.1 was short tempered lady and due to the petty dispute she committed suicide by burning herself and this fact has

been supported by the several witnesses during investigation and accordingly charge sheet has been submitted under sections 306 and 201/34 I.P.C. and as such the petitioner no.1 who is suffering in custody since 28.07.2015 deserves sympathetic consideration as mother of petitioner no.1 has already been allowed bail in this case.

The learned A.P.P. opposes prayer for bail by submitting that petitioner no.1 is the husband.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such the petitioner no.1 is also 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. Vaishali at Hajipur in Bidupur P.S. Case No. 169 of 2013, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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