

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58518 of 2015

Arising Out of PS.Case No. -144 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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1. Rajesh Das S/O Aklu Das resident of Village- Sira, P.S. Dumra District
Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Shailendra Kr. 2(App)

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

ORAL ORDER

3 16-03-2016 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 302 and 328 of the I.P.C

Allegedly, the petitioner being the husband of Poonam
Devi, the daughter of the informant, used to assault her resulting
she was living in her Naihar and there the petitioner after
administering poison killed her.

Submission is of false implication and that the wife of
the petitioner was short tempered lady, she always wanted to live
in her Naihar due to the reasons best known to her, the petitioner
requested her to go to her in-laws house resulting there was some
trivial dispute and when the petitioner came back from there she
committed suicide by consuming poison herself and this fact has

been stated by the independent witnesses during investigation vide paragraphs- 7, 9 and 18 of the case diary and after completing investigation charge sheet has been submitted under section 306 of the I.P.C.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner 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, 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. Sitamarhi in Runnisaidpur P.S. Case No. 144 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)

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