

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54332 of 2015

Arising Out of PS.Case No. -344 Year- 2013 Thana -PUPRI District- SITAMARHI

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1. Binod Giri Son of late Kishun Giri Resident of Village- Barma, Police Station- Pupari, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-01-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Pupari P.S. Case No. 344 of 2013 registered for the offences punishable under Sections 304B, 201/34 of the Indian Penal Code.

Rani Devi was married to the petitioner on 15.04.2012 and due to non-fulfillment of demand of dowry by way of motorcycle she was tortured, assaulted and ultimately was done to death and her dead body was also cremated by the petitioner and other in-laws.

Submission is of false implication and that the petitioner was having cordial relation with his wife, his wife died due to epilepsy and due information was given to the informant and his family members to participate in the cremation and some

of his family members participated in the cremation also but only with a view to extract money lodged this false case resulting, the petitioner is suffering in custody since 08.09.2015 whereas other family members have been allowed pre-arrest bail.

Learned APP after going through the case diary fairly submits that several witnesses vide paragraphs 15 to 18 have stated that the deceased died due to epilepsy.

In the facts and circumstances stated above, the petitioner above named 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 Sub-Divisional Judicial Magistrate, Pupari, Sitamarhi in connection with Pupari (Sitamarhi) P.S. Case No. 344 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.

(Jitendra Mohan Sharma, J)

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