

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58266 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -JALE District- DARBHANGA

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Santosh Kumar @ Santosh Sharma son of Indu Sharma @ Bindu Sharma
@ Bindi Sharma resident of Village- Pitharia Kala, Police Station- Jalley,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Inar Devi wife of Madan Sharma, resident of Village- Thumma, Police
Station Runni Saidpur, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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

3 18-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Jalley P.S.
Case No. 55 of 2014 registered for the offences punishable under
Sections 304(B), 120(B) and 201 of the Indian Penal Code.

Mamta Kumari, the daughter of the informant was
married to the petitioner on 18.04.2012 and due to non-fulfillment
of demand of gold, she was being tortured and assaulted by the
petitioner and other in-laws and ultimately she was killed and her
dead body was also cremated.

Submission is of false implication and that no offence



under Section 304(B) IPC is made out. The petitioner has never demanded any thing either from his wife or from her relative, the informant has lodged this case only with a view to extract money, the informant after realizing, has filed compromise petition stating innocence of the petitioner and on this ground other co-accused namely, Munchun Devi, Indo Sharma, Rahul Kuma and Guddu Kumar have been allowed bail by the learned Sessions Judge, Darbhanga itself vide annexure-3(I) and, as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes but fairly submits that now the informant is not ready to support the prosecution version.

In the facts and circumstances stated above, considering that now the informant is retracting from his earlier version and, as such, 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 C.J.M., Darbhanga in connection with Jalley P.S. Case No. 55 of 2014 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)

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