

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4628 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -HUSAINGANJ District- SIWAN

Sanjay Sharma, Son of Mohan Lal Sharma, Resident of Village- Bheli Sah
Ke Tole, Police Station- Hussainganj, District- Siwan..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Sri Lalan Kumar

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

ORAL ORDER

3 30-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Husainganj P.S.
Case No. 97 of 2016 registered for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

The allegation against the petitioner is that he being the
husband killed his wife along with others by administering poison
to her.

Submission is of false implication and that during
investigation the independent witnesses have stated that the wife
of the petitioner was ill and she was brought for treatment before
the Doctor at Sadar Hospital, Siwan and during treatment she died.
The son of the deceased, namely Anmol Sharma aged about 7
years has also stated similarly vide paragraph 38 of the case diary
and independent witness vide paragraph 39 has also stated



similarly. The doctor who has examined the wife of the petitioner has also been examined vide paragraph 29 and 30 of the case diary who have stated that the wife of the petitioner died due to heart attack.

Learned APP submits that other witnesses have supported the prosecution version.

In the facts and circumstances stated above, considering that the doctor and the son of the deceased have stated that the deceased died due to illness, 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 learned Chief Judicial Magistrate, Siwan in connection with Hussainganj P.S. Case No. 97 of 2016, 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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