

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1962 of 2017

Arising Out of PS.Case No. -157 Year- 2016 Thana -GOPALPUR District- BHAGALPUR

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Sukali Mishra @ Sukali Shandilya, son of Dayanath Mishra, Resident of
Village- Bhawanipur, P.S. Rangra, District- Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party : Mr. Sanjay Kumar Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Gopalpur
(Rangra) P.S Case No. 157 of 2016 registered for the offences
punishable under Sections 304(B)/120(B)/34 of the Indian Penal
Code and Section 3/4 of Dowry Prohibition Act.

It is submitted on behalf of the petitioner that
petitioner is the *Bhaisur* of the deceased and he is living separately
from the deceased and her husband, having no concerned with
their family affairs, all the family members have been implicated
in this false case. The husband of the deceased has informed the
informant through telephone regarding the death of the daughter of
the informant, but thereafter the informant lodged this false case.
The husband is already in custody, as such, the petitioner deserves



sympathetic consideration as he is in custody since 19.09.2016, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail, but fairly submits that the petitioner is the *Bhaisur* of the deceased.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. – III, Naugachia, District- Bhagalpur, in connection with Gopalpur (Rangra) P.S. Case No. 157 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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