

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22004 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -BASANTPUR District- SIWAN

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Santosh Sharma Son of Nand Kishor Sharma, Resident of Village- Bajitpur,
Police Station- Basantpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 07-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
12.09.2016 in connection with Basantpur P.S. Case No. 131 of
2016 registered for the offence punishable under Sections 304(B)
and 120(B)/34 of the Indian Penal Code.

The prosecution case, as lodged by the father of the
deceased Arti Kumari, is that she was married to the petitioner two
months back and due to non-fulfilment of demand of Rs. one lac,
she has been burnt to death.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has been falsely implicated, there



was no allegation of torturing the deceased by the petitioner and the informant has filed a compromise petition stating therein that her daughter died due to accident and the petitioner was not involved in killing her daughter. It has further been submitted that there is no eye-witness to the alleged occurrence and none of the independent witnesses has been made witness and all are interested witnesses. He submits that charge-sheet has already been submitted and considering the period of custody, a sympathetic consideration be given.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No. 131 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the petitioner and that petitioner will appear



before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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