

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16995 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -GHANSHYAMPUR District- DARBHANGA
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Bablu Jha, son of Sri Nirbhay Narayan Jha, resident of Village- Jaideopatti,
P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pushpa Devi, wife of Sri Bablu Jha, permanent resident of Village- Jaideopatti, P.S.- Ghanshyampur, District- Darbhanga, at present daughter of Sri Satanjiv Jha, resident of Village- Tengraha, P.S.- Bheja, District- Madhubani.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate
Mr. Rohit Kumar, Advocate
For the Opposite Party/s : Mr. Sri Binod Kumar 3 (APP)
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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-06-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Ghanshyampur P.S Case No. 6 of 2017 (G.R. No. 16 of 2017)
registered for the offences punishable under Sections 341, 323,
324, 498(A)/34 of the Indian Penal Code and Section 3/4 of
Dowry Prohibition Act.

Allegedly, Pushpa Devi the informant was married
to the petitioner on 03.12.2014. Out of wedlock a daughter was
born and thereafter the petitioner and others started demanding
dowry and due to non-fulfillment used to torture her and on



23.12.2016 in the night the petitioner and others assaulted her after closing in the room and in injured condition the petitioner brought her at her Naihar and went away and thereafter she was treated at Jhanjharpur Primary Health Centre and from there she was referred to D.M.C.H., Darbhanga where Naihar people got her treated.

Submission is of false implication and that there is no specific allegation against the petitioner, the allegations are general and omnibus in nature, X-ray report and C.T. scan report of the informant is normal vide injury report attached to the case diary, the petitioner has been arrested from his house and he is suffering in custody since 08.02.2017, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband and the informant was injured by the petitioner and others.

In the facts and circumstances stated above, considering that X-ray report and C.T. scan report of the informant is normal and, as such, considering the detention of the petitioner now, he 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 S.D.J.M., Biraul at Benipur, (District- Darbhanga), in connection with Ghanshyampur P.S Case No. 6 of 2017 (G.R. No. 16 of 2017), 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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