

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27045 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -PIRO District- BHOJPUR

=====

1. Mukesh Kumar Singh, Son of Nand Ji Singh, Resident of Village-
Barauli, P.S.- Piro, District- Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Ajay Kumar Jha

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 01-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 22.03.2017 in
connection with Piro P.S. Case No. 138/2016 for offences
punishable under Sections 304-B, 201, 34 of the Indian Penal
Code.

The prosecution case, as lodged by the father of the
deceased Sushma Kumari, is that his daughter was married to the
petitioner in the year 2012, who had one son and a daughter. Due
to non-fulfillment of demand of dowry petitioner along with other
family members has killed the informant's daughter and cremated
the dead body.



It has been submitted by the learned counsel for the petitioner that he is innocent and the allegations are false, in fact, the victim died because of burning while cooking food and was sent to the hospital for treatment, where she succumbed. He submits that the informant has also stated that due to misconception he had filed a false case against the petitioner and his family members and a compromise petition has been filed before the learned court below on 27.05.2016. He further submits that general and omnibus allegation has been levelled against all the family members of the petitioner and no date of death has been stated in the First Information Report and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail stating therein that it has come in the case diary that the petitioner and the deceased quarreled with each other and some of the witnesses have stated that the deceased out of anger has sprinkled the kerosene oil and burnt herself.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-III, Bhojpur at Ara, in connection with Piro P.S. Case No. 138/16, subject to the condition that both the bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

