

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42267 of 2017

Arising Out of PS.Case No. -116 Year- 2015 Thana -BIKRAM District- PATNA

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Bindu Sao S/o Binod Sao resident of Village- Milki, P.S. Bikram, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 21-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 12.01.2017 in connection with Bikram P.S. Case No. 116 of 2015 for offences punishable under Sections 304B, 201, 120B, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case, as lodged by the informant, is that his sister Sangita Devi was married to the petitioner and the petitioner along with mother-in-law and father-in-law have hanged her to death and disposed of the dead body in Gulbi Ghat.

It has been submitted by the learned counsel for the petitioner that he is innocent, he is husband and has been falsely implicated in the aforesaid case. He submits that independent



witnesses have stated that there was a minor quarrel between the husband and wife and the deceased out of anger closed the room and hanged herself. He submits that cremation ceremony was attended by the informant's side and thereafter false case has been lodged against him. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner being the husband death has occurred within seven years of marriage.

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 Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bikram P.S. Case No. 116 of 2015, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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