

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50026 of 2016

Arising Out of PS.Case No. -284 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

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1. Ashok Sharma, son of Late Paras Nath Sharma, R/o Village-Indaur, P.S.-
Dinara, District- Rohtas. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayan Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

4 03-03-2017

Heard both sides.

The petitioner seeks bail in Dinara P.S. case No. 284
of 2015 under Section 302 and other Sections of the Indian Penal
Code and under Section 34 of Dowry Prohibition Act.

The informant alleged that he married his daughter,
Priyanka Devi, with Rajnish Sharma in the year 2005 but her
husband and other in-laws were torturing her due to non
fulfillment of demand of dowry. The informant further alleged that
husband of deceased got job in railway and thereafter her husband
and other in-laws begun to demand four wheeler and they
poisoned his daughter to death.

The learned counsel for the petitioner submits that
petitioner is elder brother of the husband of deceased. There is no
allegation in the entire FIR against the petitioner. After death of
the father the petitioner separated himself from his brother and he



has nothing to do with the family affairs of his brother or the deceased. The petitioner is in jail since 12.08.2016.

The learned counsel for the informant as well as the learned Additional Public Prosecutor opposed the prayer for bail and submitted that petitioner was also torturing the daughter of the informant.

It appears that marriage was solemnized in the year 2005 and the occurrence took place after 10 years of marriage. The informant did not make any sorts of allegation against the petitioner in his fard bayan. The petitioner happens to be elder brother of the husband of deceased and it is his case that he was separated from the deceased and her husband.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to 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 the learned Judicial Magistrate, 1st class, Bikramganj, Rohtas, Sasaram in Dinara P.S. Case No. 284 of 2015.

(Prabhat Kumar Jha, J)

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