

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17090 of 2017

Arising Out of PS.Case No. -145 Year- 2016 Thana -KOTWALI District- PATNA

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Uzwal Kumar Son of Late Rajesh Ram @ Kaju Ram, Resident of Mohalla-
Adalatganj, Amarnath Jhopri, P.S. Kotwali, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rudra Deo

For the Opposite Party/s : Mr. Smt. Rita Verma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 21-06-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Kotwali P.S.
Case No. 145 of 2016 registered for the offence punishable under
Sections 304B/34 of the Indian Penal Code.

Manisha Kumari the daughter of the informant performed
love marriage to the petitioner and for six months she was kept
properly and thereafter, she was being tortured by the petitioner
and other in-laws for which compromise was done but again she
was being tortured due to non-fulfillment of demand of
motorcycle and cash of Rs. 2 lakhs and threat was given to her and
ultimately she was brutally injured and during treatment she was
declared dead.

Submission is of false implication and that the deceased



was found lying on the bed and she was covered with blanket, thereafter, with the aid of Police she was brought to Gardinar Hospital and from where she was referred to PMCH where she was declared dead. During investigation the witnesses Raj Kumari Devi and Rita Devi vide paragraph 11 and 12 of the case diary have stated that the deceased committed suicide due to hanging and as such the petitioner who is suffering in custody since 28.03.2016 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and the petitioner will co-operate during trial.

Learned APP opposes the prayer of bail by submitting that during post mortem injuries have been found on the person of the deceased, there was ligature mark on the neck also, opinion has been kept reserved till the report of chemical examination, other witnesses vide paragraphs 5, 6 and 7 have supported the prosecution version.

In the facts and circumstances stated above, considering that two witnesses namely, Raj Kumari Devi and Rita Devi have stated otherwise, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Sessions Judge III, Patna in S. Tr. No. 858 of 2016 arising out of Kotwali P.S. Case No. 145 of 2016, 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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