

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29332 of 2017

Arising Out of PS.Case No. -236 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA
=====

Chandan Sharma, son of Boudhi Sharma, resident of Village Gangeli, P.S.
K, Nagar (Maranga), District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party
=====

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Manoj Kumar - 1
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with K,
Nagar (Maranga) P.S.Case No. 236 of 2016 registered for the
offences punishable under Sections 304B and 201/34 of the Indian
Penal Code.

Petitioner is husband of the deceased and the case is
under Section 304B IPC.

It has been submitted on behalf of the petitioner that
no case is made out under Section 304B IPC firstly on the ground
that there is no allegation of demand of dowry or cruelty
mentioned in the FIR and secondly material collected during
course of investigation suggests that due to some dispute deceased
had taken poison and thereafter petitioner has also taken poison
though deceased died but petitioner is saved and petitioner is in
custody for three months.

Heard learned APP also, who could not controvert the
fact that independent witnesses have stated so during course of



investigation.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Purnea, in connection with K. Nagar (Maranga) P.S. Case No. 236 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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