

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3295 of 2017

Arising Out of PS.Case No. -40 Year- 2016 Thana -PALI District- JEHANABAD

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Arbind Chaudhary, Son of Kishore Chaudhary, Resident of Village-
Makhdumpur Pali, Police Station- Pali, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Srivastava

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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

3 07-03-2017 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor.

The petitioner prays for regular bail for the offence
under Section 304B of Indian Penal Code.

Allegedly for money, there was some dispute between
the petitioner and his wife resulting the wife of the petitioner died due
to hanging. She was married two years ago with the petitioner and out
of the wedlock, they have a son of one year.

Submission is of false implication and that during
investigation, the witnesses have stated that wife of the petitioner
committed suicide on her own and petitioner has not abetted the crime,
in post-mortem report also cause of death has been found as cardiac
failure due to asphyxia and after completing investigation, charge sheet
has been submitted under Section 306 of Indian Penal



Code, the petitioner is in custody since 23.11.2016, charge sheet has already been submitted and there is no chance of tampering with prosecution evidence and as such, he deserves sympathetic consideration.

Learned A.P.P. submits that petitioner is the husband of the deceased.

In the facts and circumstances stated above, the petitioner abovenamed is directed to be released on bail on execution of bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Pali PS case no. 40 of 2016 subject to the conditions that one of the bailors must be 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 the privilege of bail.

(Jitendra Mohan Sharma, J.)

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