

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1528 of 2017

Arising Out of PS.Case No. -23 Year- 2016 Thana -PANCHRUKHI District- SIWAN

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Satyendra Sharma, Son of Bharat Sharma, Resident of Village- Jashauli
Khand, P.S.- Pachrukhi, District- Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate

For the Opposite Party : Mr. Parmeshwar Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Pachrukhi P.S Case No. 23 of 2016 registered for the offence
punishable under Section 304(B), 34 of the Indian Penal Code and
Section 3/4 of D.P. Act.

Allegedly, Nikki Devi, the daughter of the informant
was married to Satyendra Sharma (petitioner) four years ago and
out of wedlock there is a son of one year. The petitioner used to
torture her for not fulfilling the demand of dowry and ultimately
on 25.02.2016 she was killed by the in-laws including the
petitioner.



Submission is of false implication and that there was cordial relation between the petitioner and wife, the wife of the petitioner was a lady of short temperament, she committed suicide by hanging herself due to some petty dispute, earlier also she had tried to commit suicide but was saved. After realizing the truth the informant has filed petition before the officer-in-charge in this regards and has also admitted before the *Sarpanch*. In postmortem report the cause of death has been found due to asphyxia due to tightening substance around the neck and it goes to prove that the deceased committed suicide by hanging herself. The petitioner is suffering in custody since 24.07.2016, charge sheet has already been submitted and there is no chance of tampering with the persecution evidence.

Learned A.P.P. submits that the informant is retracting from his earlier version.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of A.C.J.M. VI, Siwan, in connection with Pachrukhi P.S. Case No. 23 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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