

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54525 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -DHOLBAJJA District- BHAGALPUR

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1. Bucho Sharma son of Sukan Sharma @ Suman Sharma resident of village Dholbajja, Police Station Dholbajja, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with S.Tr. No. 728/2017, arising out of Dholbajja P.S. Case No. 15/2017 dated 05.03.2017, which though was instituted for the offence under Sections 302 and 34 of the Indian Penal Code, but charge-sheet in this case was submitted under Section 306 of the Indian Penal Code.

Initially, a complaint was filed by the mother of the deceased alleging that the deceased was married to the petitioner about 15 years ago and the deceased always complained of ill-treatment by the petitioner and others for non-fulfillment of the demand of Rs. 50,000/-. In the complaint petition, it has been alleged that she learnt from the villagers that the deceased has



been killed and the dead body has been concealed. After about 8 months of the aforesaid complaint petition, the present subject F.I.R. was registered. After a protracted investigation, charge-sheet was submitted under Section 306 of the Indian Penal Code.

Learned counsel for the petitioner has drawn the attention of this Court to the deposition of five witnesses, who have uptill now been examined before the trial court and all of them have been declared hostile. It has further been submitted that for about 15 years, the deceased lived properly in the household of the petitioner and five children were also born out of the wedlock. The informant, in fact, without ascertaining the facts of this case, has lodged the complaint leading to the aforesaid trial.

The petitioner is in custody since 26.04.2017.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge 2nd, Naugachhia in connection with S.Tr. No. 728/2017, arising out of Dholbajja P.S. Case No. 15/2017.

(Ashutosh Kumar, J.)

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