

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5615 of 2019

Arising Out of PS. Case No.-1041 Year-2004 Thana- SIWAN COMPLAINT CASE District-Siwan

Baleshwar Sharma Ramrup Sharma Vill.- Badka Gaon, P.O.- Papaur, P.S.- Pachrukhi

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Trial No. 1553 of 2018 (Arising out of Complaint No. 1041 of 2004) registered for the offence punishable under Section 498(A) of the Indian Penal Code.

Allegation against petitioner and other co-accused is of torturing the complainant for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that petitioner is the husband of complainant and he has been falsely implicated in this case. It has been further submitted that the marriage had taken place in the year 1991 and there was no demand of any dowry or torture. As a matter of fact the complainant did not want to live with her husband. She has



already died as natural death on 19.11.2008 while the petitioner was in U.A.E. for livelihood. Petitioner has no criminal antecedent and he is in custody since 17.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Siwan, in connection with Trial No. 1553 of 2018 (Arising out of Complaint No. 1041 of 2004) subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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