

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68278 of 2018

Arising Out of PS. Case No.-137 Year-2018 Thana- BARARI District- Katihar

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Bhim Kumar Sharma @ Bhim Tatma Son of Anish Tatma @ Anesh Sharma,
Resident of Village- Bhandartal, Police Station- Barari, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh
For the Respondent/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Barari P.S. Case No. 137/2018
registered for the offence punishable under Sections 304(B)/34
of the Indian Penal Code.

Informant is the brother of the deceased has alleged
that his sister Kushmi Devi was married to the petitioner.
Thereafter, she was being subjected to cruelty and torture for
non-fulfillment of demand of dowry and ultimately she was
killed by the petitioner and his family members.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. At
the time of occurrence, petitioner was not present there as he
had gone to Haryana to earn his livelihood. It has further been
submitted that the deceased has committed suicide which is



apparent from the postmortem report where death has been attributed to Asphyxia due to hanging. Petitioner has no criminal antecedent and he is in custody since 17.08.2018.

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/- with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Katihar in connection with Barari P.S. Case No. 137/2018, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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