

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76121 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- EKMA District- Saran

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MITHLESH SHARMA Son of Upendra Sharma Resident of Village- Rith,
P.S.- Ekma, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Tiwari

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 18-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code.

Allegation against the FIR named accused including the petitioner is to have killed the sister of the informant by administering her poison in her food for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has further been submitted that sister of the deceased was suffering from Tuberculosis from January, 2014 and her lungs were damaged and she always felt problem in breathing and her death was natural. Petitioner has got no criminal antecedent and is in



custody since 27.05.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ekma P.S. Case No. 27 of 2019 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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