

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12028 of 2020

Arising Out of PS. Case No.-162 Year-2019 Thana- ROSERA District- Samastipur

SUDARSHAN SINGH Son of Nawal Kishor Singh Resident of Village -
Muradpur, P.S.- Rosera, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Adv

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 304(B)& 34 of the Indian Penal Code subsequently vide order dated 20.06.2019 Section 304(B) has been corrected as Section 302 I.P.C.

Submission is that the marriage of the petitioner was solemnized with the victim 10 years prior to the date of death. Hence, presumption of dowry death is not there against the petitioner. Moreover, there is no direct evidence that the petitioner was seen committing murder of his wife in spite of that chargesheet has been submitted under Section 302 I.P.C.whereas the FIR was registered under Section 304(B)I.P.C.



Considering the aforesaid facts as well as the fact that investigation of the case against the petitioner is already complete and there is no material to substantiate that the petitioner is going to tamper with the evidence or hamper the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No.548 of 2019 arising out of Rosera Police Station Case No.162 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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