

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23609 of 2020

Arising Out of PS. Case No.-514 Year-2019 Thana- MASHRAK District- Saran

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DHARMDEO SHARMA @ DHARMENDRA SHARMA Son of Kapildeo
Sharma Resident of Village- Galimapur, P.S.- Taraiya, Distt- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr. Jai Narayan Thakur

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 04-11-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with
Mashrak Police Station Case No. 514 of 2019, registered for the
offences punishable under Sections 498-A/302/34 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the daughter of the informant (deceased) was married to co-
accused Basant Kumar, on 11.03.2011 and after the marriage,
she started leading a happy conjugal life and was blessed with
two children, but for the last two years, the husband of the
deceased and his other family members started demanding a
motorcycle by way of dowry and due to non-fulfillment of the



said demand, the accused persons, including the petitioner, used to torture the deceased. It has further been alleged that on 26.11.2019, the deceased told the informant on mobile that yesterday, she had gone for marketing where some altercation took place between the deceased and her husband and on the same date, the informant got information that his daughter has been killed by the accused persons.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. He further submits that the petitioner is the bother-in-law (Bahnoi) of the husband of the deceased and no specific allegation of demand of dowry has been levelled against him. He further submits that the husband and father-in-law of the deceased have been granted bail by this Court vide orders passed in Criminal Misc. Nos. 25310 of 2020 and 21938 of 2020. He further submits that the petitioner is in custody since 27.11.2019.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the husband and father-in-law of the deceased have been granted bail by co-ordinate Bench of this Court and he is in



custody since 27.11.2019, I am inclined to grant bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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 Additional Chief Judicial Magistrate, Saran, at Chapra, in connection with Mashrak Police Station Case No. 514 of 2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

It is further made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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