

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62843 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- BAHADURPUR District- Patna

SHASHI SHEKHAR AZAD @ SHASHI SHANKAR AZAD @ SONU, aged about 27 years, Male, S/o Vijay Kumar Sharma @ Vijay Majaraj R/o village-Satnag, P.S.- Chandi, District- Nalanda at present C/o Rabindra Kumar Sinha, S/o Late Brajnandan Prasad Singh, Resident of Jai Mahabir Colony, Road No. 4, Bahadurpur, Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Prafull Chandra Jha, Adv.
For the Opposite Party : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 22-01-2020 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Bahadurpur P.S. Case No. 123 of 2019, registered under Sections 304B and 120B of the Indian Penal Code.

The accusation is that the marriage of Poonam Devi, the daughter of the informant, Ramesh Maharaj, was performed with the petitioner before seven years. Poonam Devi was blessed with one male and one female child, but, thereafter, she was being tortured for demand of dowry by her husband and in-laws. At present, her husband, Shashi Shekhar Azad used to reside along with family members in Mahaveer Road no. 4, Bahadurpur, Patna. On 27.04.2019, informant received a call from mobile of his daughter about demand of dowry. After that he received information about felling of Poonam Devi from roof. Thereafter, he went at rented house and found his daughter lying death there, but, on query no proper reply was given.



Submission is that admittedly the petitioner is the husband of the deceased-daughter of the informant, who fell down from the roof of the rented house while she was rushed for treatment, but, died. An information in that regard was also given to the informant by the father of the petitioner, but, with ulterior motive the petitioner has falsely been implicated in this case. The land lord, in whose house the petitioner use to reside, has also given the statement, as detailed in paragraphs 20 and 21 of the case diary to the effect that the deceased-daughter of the informant fell down from the roof while she was rushed for treatment, but, died. The petitioner is in custody since 28.04.2019 and the police after investigation has already submitted the charge sheet.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bahadurpur P.S. Case No. 123 of 2019 to the satisfaction of the Additional Chief Judicial Magistrate, II, Patna City, Patna.

(Rajendra Kumar Mishra, J)

Shamshad/-

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