

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75893 of 2019

Arising Out of PS. Case No.-47 Year-2017 Thana- ALIPUR District- Gaya

SHYAM MANOHAR SHARMA @ TUNTUN @ SHYAM MANOHAR S/o
Hari Shankar Sharma R/o village- Urbishuanpur, P.S.- Alipur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in in a case instituted for the offences under Sections 498(A), 304(B), 201 and 34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

The earlier bail application of the petitioner was rejected vide Annexure-1 to the present application taking into account that the petitioner happens to be husband of the deceased. The case was instituted for an offence under section 304B IPC.

A report was called for from the Court below. It has been reported that the case record is fixed for prosecution evidence and the delay is being caused in the present case due to non-production of



prosecution witnesses on the date fixed by the Trial Court. Further, the persons who have been granted bail are also not cooperating.

On behalf of the counsel for the petitioner, it is submitted that persons who have been granted bail are appearing on each and every date fixed by the Trial Court. It is further submitted that the petitioner is in custody since 28.8.2017. There is no chance of the trial being concluded in near future and further the prosecution is not cooperating in the trial Court by producing the witnesses on the date fixed.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Gaya in connection with Sessions Trial No. 96 of 2017/49 of 2017 arising out of Alipur P.S. Case No. 47 of 2017.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

