

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14847 of 2021

Arising Out of PS. Case No.-724 Year-2019 Thana- SUPAUL District- Supaul

Shrawan Kumar @ Shrawan Kumar Sharma, male, aged about 35 years, Son of Sitaram Sharma @ Sitaram Mishtri Resident of Village- Chakla Nirmali, Ward No. -07, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shrawan Kumar @ Shrawan Kumar Sharma, Adv.

For the Opposite Party/s : Ms. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 28-10-2021 Heard learned counsel for the petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Supaul PS Case No. 724 of 2019 instituted for the offence under Section 304B of the Indian Penal Code and Section.

For last about two years i.e. since 13.11.2019 the petitioner is stated to be in custody on allegation that he has set ablaze his wife (informant's daughter) for non-fulfillment of demand of dowry. Annexure-2 to the bail petition is an



application filed by the informant before the learned District and Sessions Judge, Supaul in Sessions Trial No. 119 of 2020, wherein, the informant has stated that she does not wish to proceed further with the trial due to intervention of well wisher, she has realized her mistake regarding resort to instant proceeding. The petitioner has no criminal antecedents.

The learned APP representing the State has opposed the prayer for bail. However, she is not in a position to dispute the petition filed by the informant.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Supaul, in connection with Supaul PS Case No. 724 of 2019, Sessions Trial No. 119 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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