

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32141 of 2023

Arising Out of PS. Case No.-374 Year-2022 Thana- BIKRAMGANJ District- Rohtas

Bharat Sharma, Son of Baban Sharma Resident Of Village- Ghosiya Khurd
P.S.- Bikramganj, Distt- Rohtas.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 28-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Bikramganj P.S. Case No. 374 of 2022 registered for the offence
under Sections 304B, 201, 120B of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 17.08.2022.

The allegation against the petitioner is to cause death
of daughter of informant alongwith other co-accused
persons/family members due to non-fulfillment of demand of
dowry as raised for unexplained amount of cash.

Learned counsel appearing on behalf of the petitioner



submitted that petitioner implicated falsely with present case only for the reason that he is the husband of the deceased, where death of wife of petitioner occurred in normal circumstances. It is submitted that cremation of deceased was taken place in presence of informant and other members of parental family but subsequently as an afterthought, the present false implication was raised. It is submitted that postmortem was also not conducted in this case and in want of same, it is unable to ascertain *prima facie* that the death of deceased occurred unnatural. It is further submitted that even the demand of dowry soon before the occurrence is also not appears convincing from the face of FIR. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as it appears doubtful, whether death of wife of petitioner taken place in unnatural circumstances, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 17.08.2022 accordingly, petitioner above named, is directed to be released on bail in connection with Bikramganj



P.S. Case No. 374 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Rohtas at Sasaram in S.Tr. No. 678 of 2022 or transferee Court Rohtas at Sasaram/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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