

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25281 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- MAGADH UNIVERSITY District- Gaya

PINTU SHARMA S/O BECHU SHARMA @ BACHU SHARMA R/O
VILLAGE- MORA MARDANA, P.S- MAGADH UNIVERSITY, DISTT.-
GAYA, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with M.U.
P.S. case No. 334 of 2023 instituted for the offences under
Sections 304B/34 of the Indian Penal Code.

3. Prosecution case, in short, is that petitioner along
with his family members tortured and murdered the daughter of
the informant for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submitted that general and omnibus allegation has
been made against the petitioner. No specific overt act is



alleged against the petitioner. He further submitted that police after investigation submitted charge-sheet under Section 306/34 of the Indian Penal Code. Police submitted final form against two co-accused persons. He further submitted that petitioner or his family members never demanded any dowry nor tortured the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.10.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, no direct allegation as also the period of custody undergone by the petitioner coupled with the fact that charge-sheet being submitted under Section 306 of the Indian Penal Code, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with M.U. P.S. case No. 334 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

