

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82555 of 2023

Arising Out of PS. Case No.-157 Year-2021 Thana- PURAINI District- Madhepura

Niro Sharma @ Nirmal Kumar S/O Late Tiro Sharma @ Kiro Sharma @ Kishore Sharma R/O Village- Kheraho, P.S- Puraini, Distt.- Madhepura (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Akash Anand, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned Sr. Counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Puraini P.S. Case No. 157/2021 lodged on 02.10.2021 under Sections 304B, 201, 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against 11 named accused persons, including the present petitioner alleging therein that the petitioner along with other family members have killed the daughter of the informant for non-fulfillment of dowry demand and disposed of her body.

4. Learned Sr. Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. In fact, the daughter of the informant was ill and she was in continuous



treatment. She was suffering from heart and kidney-related disease and at the time of her death, neither the petitioner nor the mother-in-law of the deceased were present at the place of occurrence. The said fact has also been inserted in paragraph nos. 7 and 8 of the case diary. The petitioner is in custody since 19.01.2023 having no criminal antecedent and the chargesheet has already been submitted. One co-accused namely Aaloo Devi @ Aalo Devi @ Rama Devi, mother-in-law of the deceased has been granted bail by a co-ordinate bench of this Court vide order dated 01.08.2023, passed in Criminal Miscellaneous No. 47042 of 2023.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named be released on bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge-III, Madhepura, subject to
the conditions as laid down under Section 437(3) of the Code of
Criminal Procedure.

(Dr. Anshuman, J)

Ashwini/-

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