

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12688 of 2015

Arising Out of PS.Case No. -123 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

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Dinesh Pandey, Son of Byas Pandey, Resident of Village - Bhami Tola,
P.S. - Kuchaikote, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Md.Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 27-05-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 304B/201/34 of the Indian Penal Code.

Though the petitioner is named in the FIR vide Annexure-1 as an accused, but taking into consideration the fact that the main allegation of commission of crime in question is against co-accused Awadhesh Pandey, the husband of the deceased, but so far the petitioner is concerned, he is only alleged to have participated in the cremation of the dead body and he is said to be in judicial custody since 23.11.2014, his prayer for bail is allowed.

The petitioner above named is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj in connection with Kuchaikote P.S.Case No.123 of 2014, subject to the conditions that:

- (a) One of the bailors must be government servant or close family member of the petitioner, who will file an

affidavit in the court below showing his/her relationship with the petitioner,

- (b) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (c) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

Arvind/-

(Birendra Prasad Verma, J)

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