

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45433 of 2014

Arising Out of PS.Case No. -60 Year- 2014 Thana -MEHASI District-
EASTCHAMPARAN(MOTIHARI)

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Santosh Kumar @ Santosh Kumar Chaurasia Son of Late Baikunth Prasad,
Resident of Village- Tarapakar, P.S. Mehshi, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Adv.

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 17-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 498-A, 323, 304(B)/34 of IPC
read with Section 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner and others is to have
demanded a motorcycle and to have killed the deceased due to
non-fulfilment of demand of dowry.

It is submitted that the petitioner is the husband of the
deceased. Both of them were leading conjugal life happily and two
children were also borne out of that wedlock. The deceased died
due to diarrhea. From the post-mortem report also no cause of
death has been detected, thereafter, viscera was sent to Forensic
Science Laboratory. From the Forensic Science Laboratory also it

appears that no poisonous substance was detected in the viscera. However, after investigation charge-sheet has been submitted and there is no chance of tampering with the witnesses.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Sri. R. K. Bharti, learned Judicial Magistrate, 1st Class, Motihari/court concerned in Mehsi P. S. Case No. 60 of 2014 **after framing of charge** with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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