

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45011 of 2014

Arising Out of PS.Case No. -513 Year- 2014 Thana -NAWADA District- NAWADA

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Shiv Kumar Prasad son of Late Ram Lagan Prasad R/o Mohalla- Rajendra Nagar, P.O. and P.S. Nawada, District Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Adv.

For the Opposite Party/s : Mr. Satyendra Pd., APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 04-02-2015

Heard the parties.

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

Learned senior counsel appearing on behalf of the petitioner submits that though in the F.I.R. (Annexure-1), there is general and omnibus allegation of demand of dowry and torture against the accused persons including the petitioner, but the petitioner happens to be the father-in-law of the deceased and the informant is not the eye witness. It is highlighted that the petitioner is in judicial custody since 22.08.2014.

Taking into consideration the aforesaid aspect, the 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 Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 513 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

(B)

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

(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 dates, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Birendra Prasad Verma, J)

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