

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54603 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

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Akhtar Ali @ Akhtar Shah, Son of Md. Muslim, Resident of Village-
Narwara, P.s. Baruraj Fakir Tola, District- Muzaffarpur at present residing
at Village- Khabaspur, P.S. Basantpur, District- Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
19.03.2016 in connection with Baruraj P.S. Case No. 20/16(Tr.
No. 496/16) registered for the offence punishable under Sections
304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the sister of the
deceased, is that her sister was married to the petitioner's son one
year back and for demand of dowry all the accused persons
including the petitioner, who is father-in-law of the deceased, have
killed her sister.

It has been submitted by the learned counsel for the
petitioner that he is innocent, has no criminal history and has
falsely been implicated in the aforesaid case. It is submitted that



only general and omnibus allegation has been levelled against him and he is an aged man with 70% disability and his son, the husband of the deceased, has fled away after the alleged occurrence. It is further submitted that the charge sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence and undertakes to appear before the court below as and when required.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 10th Additional Sessions Judge, Muzaffarpur, in connection with S. Tr. No. 496/16, arising out of Baruraj P.S. Case No. 20/16, subject to the condition that petitioner will appear before the learned court below during trial as and when required, failure of which would entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rajesh/-

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