

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29836 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -GHOSI District- JEHANABAD

=====

1. Santosh Kumar, Son of Kapil Yadav, Resident of Village- Paravanpur,
Police Station- Ghosi (Okari), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Sakir Ahmad

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 09-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 19.01.2017 in
connection with Ghosi (Okari) P.S. Case No. 76/2016 for offences
punishable under Sections 304-B, 201, 34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his daughter Khushbu Kumari was married to the petitioner
one year back and due to non-fulfillment of demand of dowry she
has been killed and her body has been concealed.

It has been submitted by the learned counsel for the
petitioner that he is innocent, no such occurrence ever took place,
there was no harassment or torture on account of demand of dowry
and the informant himself in an affidavit filed before the learned



court below has stated that his daughter died of diarrhoea and it is only on the basis of suspicion that the petitioner has been implicated. He submits that none of the witnesses are eye-witnesses, all are hearsay witnesses and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel for the State vehemently opposes the prayer for bail stating therein that the occurrence took place just one year after the marriage and the petitioner is the husband.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Ghosi (Okari) P.S. Case No. 76/2016, subject to the condition that petitioner will appear before the learned court below during trial as and when required and failure to appear on three consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

