

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31807 of 2017

Arising Out of PS.Case No. -67 Year- 2013 Thana -KHANPUR District- SAMASTIPUR

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Prem Lal Mahto, Son of Late Lakhichand Mahto, resident of village
Bachholi, P.S. Khanpur, District Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jagdhar Prasad, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 08.05.2017 in connection with Khanpur P.S. Case No. 67 of 2013 for the offences alleged under Section 304(B)/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. It is submitted that the petitioner has been falsely implicated and no specific accusation whatsoever has been made against him in the complaint which was filed on 22.07.2013 after making inordinate delay for the alleged occurrence of 01.06.2013 and the said complaint was subsequently converted into an FIR being Khanpur P.S. Case No. 67 of 2013. It is further stated that earlier U.D. Case No. 04 of 2013 was instituted on 02.06.2013 on the application made by the husband of the deceased. The petitioner happens to be the grand-father of the husband of the deceased and is of advanced age of 85 years having no role to play in the conjugal life of the deceased. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named



be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Khanpur P.S. Case No. 67 of 2013 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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