

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43095 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -RAMKRISHNANAGAR District- PATNA

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LAKSHMAN PRASAD @ LAXMAN PRASAD son of late Mukhlal
Mahto Resident of Mohalla - East Subhash Nagar, Khemichak, Police
Station - Ram Krishna Nagar, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Ram Krishna
Nagar P.S. Case No. 120 of 2017 for offences punishable under
Sections 302/34 of the Indian Penal Code. Subsequently, charge-
sheet has been submitted under Section 306/34 I.P.C.

The prosecution case, as lodged by the informant, is
that his sister Ruby Kumari was married to the petitioner's son
Sujit Kumar in the year 2004 and blessed with two sons aged 9
and 10 years. The petitioner along with the husband and other in-
laws have killed the informant's sister for non-fulfillment of
demand of dowry.

It has been submitted by the learned counsel for the



petitioner that he is the father-in-law of the deceased Ruby Kumari and the allegation upon the petitioner is general and omnibus. He submits that he has separate home and lives with his elder son since 2005 and mother-in-law and other family members have been granted pre-arrest bail. He submits that husband is in custody, the petitioner is languishing in judicial custody since 10.05.2017 and that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that after investigation it was found to be a case of suicide.

However, learned APP for the State opposes the prayer for bail.

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 Additional Chief Judicial Magistrate, Patna in connection with Ram Krishna Nagar P.S. Case No. 120 of 2017, subject to the following conditions :

- (i) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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