

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38273 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

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1. Ankit Narain Shahi Son of Ajay Narayan Shahi, R/o Village- Babu Parsaoni, P.S.- Bathawaniya, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saghir Ahmad

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-09-2017 38273

Heard the parties.

The petitioner seeks regular bail in connection with Chautarwa (Bath) P.S.Cae No.97 of 2016 , registered for offences punishable under Sections 364/34 of the Indian Penal Code.

Allegation against the petitioner is initially under Section 364 of the Indian Penal Code but later on charge-sheet has been submitted under Section 304B of the Indian Penal Code of committing dowry death.

Submission of the learned counsel for the petitioner is that the material, which have come during the course of investigation, clearly shows that she died during the course of her treatment, which will appear from several paragraphs of the case



diary and the petitioner is in custody for about two months. No other ingredients are available on the record.

Heard learned A.P.P. also, who has opposed the prayer for bail and considering this fact that the material shows that she died in course of her treatment.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bagha, West Champaran in connection with Chautarwa (Bath) P.S.Case No.97 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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