

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42206 of 2017

Arising Out of PS.Case No. -309 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Dhruv Narayan Bhagat @ Dhruv Bhagat Son of Late Rajdeo Bhagat, R/o
Village- Bara Pakar Dulma, P.S.- Madhuban, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate
Mr. Alok Anand, Advocate

For the Opposite Party/s : Mr. Ajay Kumar -2, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.07.2017 in connection with Madhuban P.S. Case No. 309 of
2016, G.R. Case No. 6333 of 2016 registered for the offence
punishable under Sections 304(B) and 201/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant, is
that his daughter was married to co-accused Manoj Kumar in the
year 2016 and for non-fulfilment of demand of motorcycle and
two lacs cash, she was killed and her dead body disposed of by her
husband and other in-laws.



It has been submitted by the learned counsel for the petitioner that he is innocent, is the cousin father-in-law of the deceased and has been falsely implicated. He submits that he has separate home and hearth from the deceased and her in-laws family. He submits that bhaisur and sister-in-law of the deceased have been granted the privilege of pre-arrest bail by a coordinate Bench of this Court and that allegations are general and omnibus.

However, learned A.P.P. for the State opposes the prayer for bail stating therein that all the accused persons including the petitioner have killed the informant's daughter for non-fulfilment of demand of dowry.

Considering the facts and circumstances and the materials on record, 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 Additional Chief Judicial Magistrate-IV, East Champaran at Motihari in connection with Madhuban P.S. Case No. 309 of 2016, G.R. Case No. 6333 of 2016, subject to the following conditions:

- (1) One of the bailors of the petitioner shall be local person having sufficient immovable property within the jurisdiction of the



concerned Court.

- (2) The petitioner will not induce any witness or tamper with the evidence.
- (3) The petitioner shall cooperate in the trial and make himself available as and when required by the Court, otherwise, the prosecution is free to move for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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