

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36598 of 2017

Arising Out of PS.Case No. -28 Year- 2016 Thana -KORMA District- SEKHPURA

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Aditya Kiran @ Kannu @Kunu Son of Late Shyam Kishore Prasad, R/o
Village- Katari, P.S.- Korma, District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
12.06.2016 in connection with Sessions Trial No. 03 of 2017 arising
out of Korma P.S. Case No. 28 of 2016 for offences punishable
under Sections 304-B/34 of the Indian Penal Code and 3/4 D.P. Act.

The prosecution case, as lodged by the informant, is
that his daughter Sonam Kumari has been killed by the petitioner
who is the husband, mother-in-law and her sister-in-law by
administering poison due to non-fulfillment of demand of dowry.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case just because he is her husband. He submits that the



petitioner and the deceased had a love affair prior to marriage and after marriage they were living happily but due to some small verbal fight between them the deceased consumed poison which has been also stated by the independent witnesses. He submits that police after investigation has found the case true under Section 306 I.P.C. and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner. He submits that he is ready to cooperate with the trial on day to day basis.

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 1st Additional District and Sessions Judge, Sheikhpura in connection with Korma P.S. Case No. 28 of 2016, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.



(2) 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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