

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56844 of 2017

Arising Out of PS.Case No. -162 Year- 2016 Thana -MOHIUDDIN NAGAR District-
SAMASTIPUR

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Prem Shankar Singh @ Nanki Singh, S/o late Sewak Singh, R/o village-
Matiaur, P.S. Case-Mohiuddinnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner is languishing in custody since 16.01.2017 in
connection with Sessions Trial No. 717 of 2017 arising out of
Mohiuddinnagar P.S. Case No. 162 of 2016 for offences alleged
under Sections 304B,34,201 and 120B of the Indian Penal Code.

The petitioner, earlier moved for bail which was rejected
by order dated 14.09.2017 in Cr. Misc. Case No. 35052 of 2017.

The prosecution case, as lodged by the informant, is that
his daughter Chhoti Kumari was married to the petitioner and had
a daughter out of wedlock but she was tortured by the petitioner
and in-laws for non-fulfillment of demand of dowry and ultimately
killed and thrown in the river Ganga. Even her six months old
daughter is traceless.

It has been submitted by the learned counsel for the
petitioner that he is innocent and that no overt act has been



committed by him. There is no chance of tampering of the prosecution witnesses and that charges have been framed on 10.10.2017 and undertakes to cooperate in 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 Sessions Judge, Samastipur in connection with Sessions Trial No. 717 of 2017 arising out of Mohiuddinnagar P.S. Case No. 162 of 2016, subject to the following conditions-

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, 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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