

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23549 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. Dharmendra Kumar, S/o Amirak Mahto @ Amrik Mahto, Resident of
Village- Mukunandan Bigha, Police Station- Tharthari, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-06-2017 Heard the parties.

The petitioner seeks regular bail in connection with Tharthari P.S.Case No.95 of 2016 registered for offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The petitioner is husband and the allegation is of dowry death.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case, which will appear from the statement of son and daughter of the petitioner, recorded by the Police as their statement shows that she died due to illness and the petitioner and other co-accused persons had taken her for treatment and after death, her dead body was disposed of. It is



further submitted that the petitioner is in custody for about nine months.

Heard learned A.P.P. also, who could not controvert the above facts.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge, Hilsa (Nalanda) in connection with S.T.No.202 of 2017 (arising out of Tharthari P.S.Case No.95 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 the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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