

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41656 of 2017**

Arising Out of PS.Case No. -89 Year- 2016 Thana -ISHOPUR District- BHAGALPUR

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1. Nitish Singh @ Minku @ Nitish Kumar Singh Son of Sri Ashwani Kumar Singh Resident of Village- Maheshpur, P.S. Ishipur, Barahat, District- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Chaubey Jawahar

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      16-10-2017                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

Petitioner is languishing in judicial custody since 08.12.2016 in connection with Sessions Trial No. 378/2017, arising out of Ishipur (Barahat) P.S. Case No. 89/16, for offences punishable under Sections 304-B/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case, as lodged by the informant, is that his sister was married to the petitioner in the year 2015 and was subjected to torture and was burnt to death for non-fulfillment of demand of dowry by the petitioner and in-laws.

It has been submitted by the learned counsel for the petitioner that he is innocent and both the petitioner and the



deceased were living a healthy married life. He submits that witnesses have not supported the prosecution case instead stated that there was slight fight between the husband and wife and the deceased burnt herself. He further submits that the petitioner tried to save his wife and also received burn injuries. It is submitted that the trial has commenced and he is ready to cooperate in the trial.

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 7<sup>th</sup> Addl. Sessions Judge, Bhagalpur, in connection with Sessions Trial No. 378/2017, arising out of Ishipur (Barahat) P.S. Case No. 89/16, subject to the following conditions :

- (i) Both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) 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)**

Rajesh/-

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