

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68886 of 2018

Arising Out of PS. Case No.-36 Year-2018 Thana- KHIRHAR District- Madhubani

Kumar Rahul, Son of Nand Kishor Chaudhary, Resident of Village- Baurhar,
P.S.- Khirhar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur,
	:	Ms. Swati Sinha
For the Opposite Party/s	:	Mr. Ajay Kumar Jha (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Khirhar P.S. Case No. 36 of 2018 registered for the offence punishable under Sections 304-B, 498-A/34 of the Indian Penal Code.

Informant is the father of deceased, who has alleged in his fardbeyan that her daughter was married to petitioner on 24.06.2012 and thereafter she was being tortured for non-fulfillment of demand of dowry by the family members of petitioner. It has been further alleged that the petitioner had taken deceased to his place of posting in Delhi and thereafter again sent to her matrimonial house and where on 17.05.2018 he



received information that his daughter is hospitalized and he went to the PMCH where he found that daughter is dead and it is alleged that she was killed by giving poison.

It has been submitted on behalf of the petitioner that he is Software Engineer posted at Delhi and was not present at the place of occurrence. His wife was temperamental and she committed suicide by consuming poison. Every efforts was made to save her but she died in hospital and demand of dowry and torture is false and concocted. Petitioner has no criminal antecedent and he is in custody since 19.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Munsiff-cum-Judicial Magistrate, 1st Class, Benipatti, District-Madhubani, in connection with Khirhar P.S. Case No. 36 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient



reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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