

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48016 of 2018

Arising Out of PS.Case No. -88 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Ajay Kumar Son of Shyam Sundar Prasad @ Shyam Nandan Prasad
Resident of Village - Rajwara, P.S. Sahebganj, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Sessions Trial No.768 of 2016 arising out of Ahiyapur P.S.Case nO.88 of 2016 dated 31.1.2016 registered for offences punishable under Sections 304B/34 of the Indian Penal Code.

Petitioner happens to be brother-in-law (*Bhaisur*) of the deceased and the allegation is of dowry death.

Submission of the learned counsel for the petitioner is that the deceased committed suicide by hanging and no other specific allegation is against him and considering the same husband of the deceased and other relatives have been granted bail vide order dated 25.11.2016 passed in Cr. Misc. No.43340 of 2016 and order dated 22.5.2017 passed in Cr. Misc. No.22877 of 2017 and the



petitioner is in custody since 7.5.2018.

Heard learned A.P.P. also.

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 7th Additional Sessions Judge, Muzaffarpur in connection with Sessions Trial No.768 of 2016 arising out of Ahiyapur P.S.Case No.88 of 2016 dated 31.1.2016.

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 in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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