

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49556 of 2018

Arising Out of PS.Case No. -173 Year- 2017 Thana -KODHA District- KATI HAR

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1. Bambam Kumar Singh Son of Siyalal Singh Resident of Village-Basgara, P.S. Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 31-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Korha P.S.Case no.173 of 2017 registered for offences punishable under Sections 304(B)/34 of the Indian Penal Code.

Allegation against the petitioner is of causing dowry death of the deceased. The petitioner happens to be husband.

Submission of the learned counsel for the petitioner is that as a matter of fact she was suffering from illness and she was taken for treatment at Purnea and thereafter the informant and his family members forcibly took her to Patna for better treatment and in course of that she died. It is further submitted that case of death could not be ascertained in the postmortem and the viscera report does not show any poisonous substance. The petitioner is in



custody since 12.3.2018.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that there is allegation of demand of dowry against the petitioner and there is also allegation of assaulting the deceased.

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 the learned CJM, Katihar in connection with Korha P.S.case No.173 of 2017.

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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