

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41731 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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1. Santosh Kumar Jaiswal @ Santosh Jaiswal son of Lurkhur Sah R/o
village Kurari, P.S. Durgawati, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Durgawati P.S.Case No.86 of 2017 , registered for offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

Allegation against the petitioner, who happens to be
husband, is of dowry death.

Submission of the learned counsel for the petitioner is that
the materials collected during the course of investigation itself
shows that she was suffering from abdomen pain and in course of
the treatment she died and the dead body was handed over to the
mother of the deceased.

Heard learned A.P.P., who has not controverted the
aforesaid facts. .



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released 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 C.J.M., Kaimur at Bhabua in connection with Durgawati P.S.Case no.86 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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