

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29094 of 2018

Arising Out of PS. Case No.-46 Year-2017 Thana- GOBARDHANA District- West
Champaran

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Nagendra Nath, S/o- Shankar Nath, Resident of Village- Baria Barwa (Gurera
Nath), P.S.- Gobardhana, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Baxi S.R.P. Sinha, Sr. Advocate
	;	Mr. Vijay Kumar Singh No. 1
For the Opposite Party/s	:	Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

9 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with S.T.r. No. 237 of 2018 arising out of
Goberdhana Case No. 46 of 2017 registered for the offence
punishable under Sections 304(B), 302/34 of the Indian Penal
Code.

Informant is the brother of deceased, who in his
written complaint has stated that the marriage of his sister
Shivkumari Devi was solemnized with petitioner in the year
2014. After one year of marriage she was assaulted and abused
by her in laws including petitioner for demand of dowry. On
12.11.2017 at about 10.30 in the morning he received



information that his sister has been killed by her in laws including petitioner and after getting information he went to matrimonial house of his sister and saw that his sister has been killed by pressing her neck and when he inquired about the death all accused persons including petitioner abused and threatened to kill him.

It has been submitted on behalf of the petitioner that petitioner is husband of the deceased and only suspicion has been raised against the petitioner. During investigation it has come that deceased was suffering from epilepsy. Lady villagers who were accompanying deceased have stated that deceased was with them with woods on her head and she fell on ridge and died and was thereafter carried to her home.

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 2nd Additional Sessions Judge, Bagaha, District West Champaran, in connection with S.T.r. No. 237 of 2018 arising out of Goberdhana Case No. 46 of 2017 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 present 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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