

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67342 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- CHACKMENSI District- Samastipur

Praful Chandra Mishra, Son of Tapeswar Mishra, Resident of Village-Sormar, P.S. Chakmehshi, Distt.-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s. A.K. Thakur, Babita Kumari, Swati Sinha, Advocates
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 19-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Chakmehshi P.S. Case No. 50 of 2018 registered for the offence punishable under Sections 304B, 201 and 34 of the Indian Penal Code.

Informant has alleged in his written complaint that marriage of his daughter was solemnized with the petitioner in the year 2011 and, thereafter, she was killed on 19.05.2018 by the petitioner and his family members by assault and administering poison.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion. Allegation of demand of dowry and



torture is baseless. The marriage was solemnized in the year 2011 and out of said wedlock, two children were born and the deceased died due to illness and the family members of the deceased were present at the time of cremation and during the investigation also, the neighbours have also stated that the deceased died of prolonged illness. Petitioner has no criminal antecedent and he is in custody since 08.06.2018.

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/- with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, I, Samastipur in connection with Chakmehshi P.S. Case No. 50 of 2018, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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