

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40394 of 2018

Arising Out of PS.Case No. -450 Year- 2017 Thana -HARSIDHI District- EASTCHAMPARAN
(MOTIHARI)

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1. Rojaddin Miyan, Son of Amin Mian, Resident of Village- Dudahi Tal,
P.S.- Harsidhi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. sharad Kumar Verma

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-08-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Hasidhhi P.S.Case No.450 of 2017, registered for offences
punishable under Sections 304B/34 of the Indian Penal Code.

The case is of dowry death and the petitioner is said to be
the husband.

Submission of the learned counsel for the petitioner is that
the case has been lodged on the basis of dying declaration of the
deceased lady and in that she has not named this petitioner and
there is no allegation against him.

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, 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., East Champaran at Motihari in connection with Hasidhhi P.s.case no.450 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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