

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11763 of 2018

Arising Out of PS.Case No. -124 Year- 2017 Thana -ISUAPUR District- SARAN

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1. Amarjeet Nutt @ Bodha Son of Shankar Nutt Resident of Village-
Bishunpura P.S. Ishuapur, District- Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 16-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
16.11.2017 in connection with Ishuapur P.S. Case No. 124 of 2017
for offences punishable under Sections 304(B)/34 of the Indian
Penal Code as well as ¾ Dowry Prohibition Act.

The prosecution case, as lodged by the informant, is
that his daughter was married to the petitioner two years back but
due to non-fulfillment of demand of dowry of one lac and gold
chain, she has been killed by the petitioner and in-laws who tried
to dispose of the dead body but informant came in the meantime.



It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that there is no eye witness to the alleged occurrence and the informant has himself stated that she died a natural death as she was of unsound mind which is Annexure-2 to the application. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that as per the postmortem report death occurred due to asphyxia and strangulation.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody, on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Ishuapur P.S. Case No. 124 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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