

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58201 of 2018

Arising Out of PS.Case No. -30 Year- 2017 Thana -BARH District- PATNA

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1. Nitish Kumar, Son of Om Prakash Paswan, Resident of Village- Itawan,
P.S.- Barh, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sir Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Barh P.S.Case No.30 of 2017 registered for offences punishable under Sections 304(B)/34 of the Indian Penal Code.

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

Submission of the learned counsel for the petitioner is that during the investigation several witnesses have been examined and they have stated that the deceased was a beautiful girl and she was married with the petitioner, who is a handicapped person as such she was not satisfied with him and used to quarrel with her father and mother and earlier also she tried to commit suicide but she was saved and now she has committed suicide by taking poison. Further submission is that the petitioner is in custody since



15.5.2018.

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, be enlarged 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 ACJM 1st, Barh, Patna in connection with Barh P.S.case no.30 of 2017.

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 disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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