

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1414 of 2018

Arising Out of PS.Case No. -94 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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1. Abhiranjan @ Abhiranjan Singh Son of Satendra Singh Resident of
Village-Panaput Shapur, P.S.-Mahnar, District-Vaishali.

.... Petitioner/s

Versus

1. 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. Matloob Rab

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation as earlier the bail application of the petitioner was rejected vide order dated 10.10.2017, passed in Cr. Misc. No. 41912 of 2017.

Petitioner is languishing in judicial custody since 09.05.2017 in connection with Sessions Trial No. 570 of 2017, arising out of Mahnar P.S. Case No. 94 of 2017 for offences punishable under Sections 304-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his daughter Priyanka Kumari was married to the petitioner in the year 2012 on a false statement of the petitioner that he was serving as a Second Officer in Merchant Navy and earned Rs.



1,20,000/- per month. Thereafter it was found that the petitioner was jobless and he started demanding Rs. 20,000-25,000/- per month or Rs. 10 lakhs for starting his own business, but for non-fulfillment of demand he tortured the deceased for which Sanha was lodged in the year 2015 before the learned Chief Judicial Magistrate, Sitamarhi and ultimately the daughter of the informant was killed by the petitioner and other in-laws for non-fulfillment of demand of dowry.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case, in fact, a child was born out of the wedlock, but the deceased suffered from depression and committed suicide as her room was found closed from inside. He submits that charges have been framed and he undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the deceased was killed in the matrimonial house and the petitioner is the husband of the deceased.

Considering the facts and circumstances and the materials on record as well as the undertaking of the petitioner, let petitioner, above named, be enlarged on bail on furnishing bail



bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge-III, Vaishali at Hajipur, in connection with Sessions Trial No. 570 of 2017, arising out of Mahnar P.S. Case No. 94 of 2017, subject to the following conditions :

- (i) 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.
- (ii) 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)

Rajesh/-

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