

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 12972 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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Ajad Kumar, son of Sadanand Patel, Resident of Village- Dhunima, P.S.-
Mufassil, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ram Sumiran Rai, Advocate

For the State : Mr Satyavarat Verma, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 06-04-2018

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 304B/34 of Indian Penal Code.

It is submitted on behalf of the petitioner that the
petitioner has been falsely implicated in this case as from the first
information report (for brevity, *FIR*), it is apparent that the
informant was in knowledge of the death of victim on 02.06.2017
but the *FIR* has been lodged on 05.06.2017 on extraneous
consideration. It is further submitted that evidence is consistent in
the investigation that owing to love affair between the petitioner
and the deceased, the deceased abandoned the earlier marriage and
started living with the petitioner. In the circumstances, the



allegations are highly improbable. The petitioner himself is surprised at the disappearance of the victim. He is in custody since 20.07.2017 and prior to the instant case, there is no antecedent of the petitioner.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria (Mufassil) Police Station Case No 386 of 2017 dated 05.06.2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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