

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31974 of 2018

Arising Out of PS. Case No.-13 Year-2017 Thana- PHULPARAS District- Madhubani

Md. Lukman, Son of Md. Ushaman, Resident of Village- Brahampur
Sijauliya, P.S.- Phulpras, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 18-08-2018 Heard the learned counsel for the petitioner and
learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Phularas P.S. Case No. 13 of 2017 registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

Informant is the brother of the deceased, who in his fardbeyan has stated that his sister was married to petitioner six years before and they had given sufficient presents and cash at the time of marriage but after marriage her in-laws were torturing his sister for non-fulfillment of demand of dowry. There is allegation against all the named accused for demanding motorcycle, due to non-fulfillment of said demand on 1st January, 2017 her sister has been killed by setting her ablaze by



the accused persons. It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of suspicion. Information was given to the family members of deceased that deceased committed suicide by setting her ablaze.

It has been submitted that the deceased committed suicide and when she raised alarm, the door of the house was broke open in order to save her which has come during investigation. It has further been submitted that he is in custody since 26.04.2017. Chargesheet has been submitted.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII, Madhubani in connection with Phularas P.S. Case No. 13 of 2017 with following conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) The petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and



reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/manoj

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