

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9715 of 2019

Arising Out of PS. Case No.-334 Year-2018 Thana- BIHTA District- Patna

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Bablu @ Rafi Alam @ Md. Bablu Son of Md. Nizam R/o village- Simari,
Bahpura, P.S- Bihta, Dist- Patna, at present residing at Sadaquat Ashrram
Kabristan , P.S- Patliputra, Distt- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 302/34 of the Indian Penal
Code.

The petitioner had entered into love marriage with
the sister of the informant in the year 2006. The petitioner has
two children from the deceased. After sometime, some dispute
arose and the petitioner married with another lady.
Subsequently, the first wife died and allegation is that her
death was result of non-fulfillment of the dowry demand.

Submission is that there is no direct evidence of
demand of dowry and torture. The doctor has not found any



external injury except a ligature mark on the person of the deceased. Petitioner is in custody since 20.09.2018. Investigation of the case is already complete.

Considering the entire facts, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bihta P.S. Case No.334 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property in his name.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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