

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9938 of 2019

Arising Out of PS. Case No.-491 Year-2018 Thana- HARSIDHI District- East Champaran

Abhay Kumar Singh, aged about 45 years, Gender- Male, Son of Roop Kumar Singh, Resident of village-Yaropur, P.S.--Harshidhi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Harsidhi P.S. Case No. 491 of 2018 registered for the offences punishable under Sections 341, 323, 504 and 498(A)/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Allegation against petitioner (husband) including all FIR named accused persons is of trying to setting her ablaze due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. Petitioner has no criminal antecedent and is in custody since 24.11.2018.



Considering the aforesaid facts 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Harsidhi P.S. Case No. 491 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (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)

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