

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21108 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- EKANGARSARAI District- Nalanda

KARTIKAY @ TUTTU @ KUMAR KARTIKEY, aged about 24 years,
Gender, Male, Son of Birendra Prasad Singh @ Birendra Prasad @
Misichand Resident of Village - Atramchak, P.S.- Ekangarsarai, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-04-2019 Let the defect (s) as pointed out by the Stamp
Reporter be ignored for the present.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence
punishable under Sections 498(A), 341, 323, 354, 379, 504/34
of the Indian Penal Code and Section 3/4 of D.P. Act.

Allegation against the petitioner along with F.I.R.
named accused is to have attempted to kill the informant (wife
of the petitioner) by setting her on fire after pouring kerosene oil
and they also administered milk mixed with medicines for
abortion forcibly for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It



has further been submitted that petitioner filed Matrimonial Case No.383/2018 on 17.11.2018 seeking divorce before the court of Principal Judge, Nalana at Biharsharif and when informant knew about the divorce case, she filed present case on 25.12.2018 to settle the score. It has further been submitted that petitioner himself is a victim of cruelty and misbehaviour from her wife and, thereafter, he has also become mentally ill.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Ekangarsarai P.S. Case No. 256/2018 with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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