

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78303 of 2018

Arising Out of PS. Case No.-262 Year-2018 Thana- AMARPUR District- Banka

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Nirmal Kumar Gor @ Nirmal Kumar Gond son of Udho Gond, resident of village- Bhimsen, P.s. Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Amarpur P.S. Case No. 262 of 2018 registered for the offence punishable under Sections 328, 304(B)/34 of the Indian Penal Code.

Allegation against petitioner is of killing the daughter of the informant by administering poison due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to village politics. It has been further submitted that petitioner happens to be husband of the deceased and they solemnized love marriage. It has been further submitted that postmortem



was done in which doctor has not found any external injury and she herself consumed poison. Petitioner was also poisoned and admitted in Hospital in serious condition. Petitioner has no criminal antecedent and he is in custody since 20.05.2018.

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, Banka, in connection with Amarpur P.S. Case No. 262 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty 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)

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