

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30065 of 2019

Arising Out of PS. Case No.-37 Year-2017 Thana- JAMHOR District- Aurangabad

LAVKESH KUMAR S/o Late Ram Janam Singh R/o village- Karma, P.S.-
Jamhore, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nivedita Nirvikar
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-08-2019 Heard learned Counsel for the petitioner as well as
learned APP for the State.

Being an accused under Section 304B/34 IPC the
petitioner who is husband of the victim has been in custody
since 14.4.2017.

It is submitted that the FIR itself shows that it is in
fact the petitioner who has given intimation to the informant's
family regarding his wife being ill. The bonafide of the
petitioner would appear from the allegations made in the FIR
itself.

Learned APP however submits that in view of the
circumstances in which the victim has died the petitioner should
not be enlarged on bail as the presumption is against the
petitioner under the law.



Having considered rival submission, this Court would allow petitioner's application for bail.

Let the petitioner namely Lavkesh Kumar be enlarged on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge III, Aurangabad in connection with Sessions Trial No. 516 of 2017/244 of 2018 arising out of Jamhore PS Case No. 37 of 2017.

(Madhuresh Prasad, J)

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