

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45906 of 2019

Arising Out of PS. Case No.-186 Year-2017 Thana- BENIPATTI District- Madhubani

RAM LAL MUKHIYA Son of Ram Autar Mukhiya @ Ram Avtar Mukhiya
R/o Village- Chholkadha, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 30-09-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 498a, 304B, 201/34 of the Indian Penal Code.

Informant is the father of the deceased who in his written complaint has stated that his daughter Mamta kumari was married to petitioner on 05.06.2017, however, after marriage her in-laws started torturing her for non fulfillment of demand of dowry and on 08.08.2017, he came to know that his daughter has been killed by her in-laws and also consigned her dead body.

It has been submitted on behalf of the petitioner that he is husband of deceased and allegations of demand of dowry and torture is an afterthought. The brother of deceased was



present at the time of cremation and FIR was instituted after delay of two days. In his deposition also the informant has not supported the case of prosecution. Petitioner has got no criminal antecedent and is in custody since 24.09.2017.

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 **Sessions Trial No. 261 of 2018+400 of 2018 arising out of Benipatti P.S. Case No. 186 of 2017**, 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/her absence on two consecutive dates without sufficient reason, his/her 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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