

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61945 of 2018

Arising Out of PS. Case No.-377 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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Jamil Akhtar son of Israil Mian, resident of Village- Sirsa, P.S. Muffasil,
District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar @ Sonu
For the Opposite Party/s : Mr.Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 14-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 304B, 201, 120B IPC registered in connection with
Muffasil P.S. Case No. 377 of 2018.

3. It is submitted that the petitioner has been falsely implicated
merely because he happens to be the husband of the deceased who
had died of natural death. It is submitted that considering that the
petitioner and the deceased were married more than seven years ago
on 03.05.2003, the ingredients of the offence under Section 304B are
not made out against the petitioner, who claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned
CJM, Motihari, East Champaran, in connection with Muffasil P.S. Case
No. 377 of 2018 subject to the conditions as laid down under Section
438 (2) Cr.P.C. and also subject to the following further conditions:



- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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