

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53008 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- BIDUPUR District- Vaishali

Mritunjay Kumar @ Mritunjay Kumar Singh @ Mritunjay Singh, Gender- Male, Aged about 55 years, Son of Brajeshwar Prasad Singh, Resident of Village - Chandpura, P.S.- Bidupur, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 304(B)/34 of the Indian Penal Code registered in connection with Bidupur P.S. Case No. 183 of 2019.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the father-in-law of the deceased. It is submitted that from perusal of the FIR itself it is clear that specific allegation has been made against other co-accused family members who are said to have committed the offence. The petitioner is a truck driver by profession and was plying his vehicle from Bangalore to Kolkata on the date of occurrence as evident from lorry manifest (Annexure-2). The accusation of demand of dowry is general and omnibus in nature. It is stated that the husband of the deceased has already been taken in judicial custody on 09.05.2019. The petitioner claims clean antecedents.

4. Learned APP opposes the petition, submitting that the petitioner is said to have made demand of dowry and death has occurred within four years of marriage. The deceased has left behind



a eight-month old baby.

5. 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 183 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and with 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 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.

(iv) That the petitioner shall cooperate 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.

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

