

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66905 of 2018

Arising Out of PS. Case No.-423 Year-2018 Thana- KATIHAR District-
Katihar

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Nand Kishor Das, S/o Subans Lal Das, Resident of Village- Sripur, P.S.-
Rauta, District- Purnea, at present residing at Jagat Bhawan, Durga
Asthan, P.S.- Katihar Nagar, Dist- Katihar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Ms. Mira Kumari, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 04-01-2019 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/34 of the Indian Penal Code
registered in connection with Katihar Nagar P.S. Case No. 423 of
2018.

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 the deceased had given her
deposition under Section 164 Cr. P.C. in the earlier Barsoi P.S.
Case No. 247 of 2017 that she had voluntarily eloped as her
parents were not in favour of the marriage. It is submitted that
the petitioner was living separately from the deceased and her
husband. The petitioner's wife has been granted anticipatory
bail petition by this Court in Cr. Misc. No. 66832 of 2018 while
the husband of the deceased is in custody. The petitioner claims
clean antecedents.



4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, 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, Katihar in connection with Katihar Nagar P.S. Case No. 423 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) 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.

(iv) 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.

(Vikash Jain, J)

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