

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71111 of 2019

Arising Out of PS. Case No.-40 Year-2019 Thana- KASMA District- Aurangabad

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PANKAJ KUMAR S/o Nand Kishore Singh Resident of Village- Bakashi-
Bigha, P.S.- Kasma, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.08.2019 in connection with Kasma P.S.Case No. 40 of 2019 for the alleged offences under Section 304(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be brother-in-law of the deceased. The ingredients of Section 304(B) IPC are not made out against the petitioner in the absence of allegation of demand for dowry which has been made against the husband and father-in-law of the deceased. The petitioner was residing separately from the deceased and her husband and has no concern with their day-to-day matters. The petitioner has already suffered more than three months in custody and claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the



satisfaction of learned C.J.M., Aurangabad in connection with Kasma P.S. Case No. 40 of 2019, on the following 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) 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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