

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79814 of 2018

Arising Out of PS. Case No.-329 Year-2017 Thana- KANKARBAG District- Patna

Shubham Kumar Singh @ Shuvam Kumar Singh @ Bittu Son of Brahma
Shankar Singh, resident of village-Rasalpur, Police Station-Patori, District-
Samastipur, at present Resident of Mohalla-Road No.2, Indira Nagar, R.M.S.
Colony, Police Station-Kankarbagh, District-Patna.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sri S. Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 30-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kankarbagh P.S. Case No.329 of
2017 registered for the offence punishable under Sections 304 (B),
201 and 34 of the Indian Penal Code.

Informant who is the father of the deceased has alleged
that petitioner (husband) along with his family members has tortured
and killed his daughter for non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is
innocent and has been falsely implicated in this case. The incident
took place on 05.05.2017 but FIR was instituted on 10.05.2017 after
delay of five days. Informant was informed that his daughter
committed suicide and was present in the cremation but after 5 days
instituted this false case on concocted story. A daughter was
also born from the wedlock. Similarly, situated co-accused
persons have been granted bail by co-ordinate benches



of this Court vide orders dated 19.03.2018 in Criminal Miscellaneous No. 58694 of 2017 and 05.11.2018 in Criminal Miscellaneous No. 65032 of 2018. Petitioner has got no criminal antecedent and is in custody since 24.07.2018.

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 **Judicial Magistrate 1st class, Patna**, in connection with **Kankarbagh P.S. Case No.329 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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