

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78971 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- MOTIPUR District- Muzaffarpur

Deepak Kumar, son of Virendra Mahto, Resident of Village- Brahampura,
P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr.Sri Binod Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Motipur P.S. Case No. 96 of 2017 registered for the offences punishable under Sections 304 (B), 341, 323, 498A, 34 of the Indian Penal Code, Section 3/4 of the Dowry Prohibition Act.

Informant who is the mother of victim has alleged that her daughter was married to petitioner in 2016 and thereafter she was being tortured for non-fulfillment of demand of dowry and she committed suicide because of torture by her in-laws.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case on the basis of suspicion and allegation of demand of dowry and torture is false and concocted. He is in custody since 30.07.2017.

Considering the aforesaid fact and circumstances of the case, nature of allegation and custody of period, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII, Muzaffarpur, in connection with S.Tr. No. 772 of 2017 arising out of Motipur P.S. Case No. 96 of 2017, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, his 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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