

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22079 of 2020

Arising Out of PS. Case No.-60 Year-2018 Thana- EKMA District- Saran

AWTAR BHARTI Son of Gopal Bharti Resident of Village - Lalpur Mathiya,
P.S.- Ekma, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 02-09-2020 Heard learned counsel for the parties.

Earlier the bail of the petitioner was rejected vide order dated 17.08.2019 passed in Criminal Miscellaneous No. 31777 of 2019 with liberty to renew his prayer for bail after completing one year of Jail custody.

Petitioner seeks bail in **Ekma P.S. Case No. 60 of 2018** registered for the offence punishable under Sections 302, 304(B) and 34 of the Indian Penal Code.

Informant is the father of deceased who has stated in his written complaint that he married his daughter with the petitioner on 18.02.2018, and after marriage demand of motorcycle was made and on account of non fulfillment of which she was subjected to torture. It has been further alleged that on 02.04.2018, he got information that his daughter has



been killed by her in-laws and when he came to the matrimonial home of his daughter, he found her lying dead.

It has been submitted on behalf of the petitioner that petitioner is in custody since 26.03.2019 and he has completed more than one year of Jail custody. The allegation of demand of dowry is false and concocted. At the date and time of alleged occurrence he was not present and was performing his duty in Hindustan Zinc Limited Company Unit namely R.D.M Rajpura, Dariba Mines, Rajasthan. It has been further submitted that according to post mortem report cause of death could not be ascertained, as such the allegation that she was killed by throttling cannot be true. It has been further submitted that she committed suicide by consuming poison. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case and period of custody, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Ekma P.S. Case No. 60 of 2018**, 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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