

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15292 of 2022

Arising Out of PS. Case No.-212 Year-2020 Thana- KAUWAKOL District- Nawada

Dharmendra Kumar Son of Lalo Mahto Resident of Village - Mahudar, P.s.-
Kawakole, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kawakole P.S. Case No. 212 of 2020 arising out of GR No.
2273 of 2020 lodged under Sections 494, 302 and 34 of Indian
Penal Code.

As per the prosecution case, there is an allegation in
the F.I.R. under section 494, 302 and 34 of the Indian Penal
Code in which petitioner is the husband of deceased.

Learned counsel for the petitioner submits that the
petitioner is innocent and it is not the case of murder rather it is
a case of Section 306 I.P.C. He further submits that petitioner is

in custody since 11.01.2022, chargesheet has already been filed in this case and his antecedent is clean.

Learned counsel for the State opposes the prayer for bail and submits that the argument of petitioner is true up to the extent that chargesheet has been filed in this case under Section 494, 306/34 of the Indian Penal Code against the present petitioner which is apparent from paragraph no.97 and 98 of the case diary.

Considering the facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.50,000/- (Rupees Fifty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IVth, Nawada in connection with Kawakole P.S. Case No. 212 of 2020 arising out of GR No. 2273 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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