

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73668 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- AMDABAD District- Katihar

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MUBARAK ALI SON OF LATE ARSHED ALI R/O VILLAGE-
BAIDHANATHPUR, P.S.- AMDABAD, DIST.- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-02-2024 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in a case
registered for the offence under Section 302 of the Indian Penal
Code.

3. As per the prosecution case, petitioner is said to
have killed the deceased for demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has three minor children who are staying with the
family of the petitioner. Petitioner is in custody since
09.01.2023.

5. Learned A.P.P. has vehemently opposed the
prayer for bail.

6. Considering the aforesaid facts and



circumstances, this application for regular bail is allowed.

7. 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 the learned A.D.J.-III, Katihar/concerned Court below in connection with Amdabad P.S. Case No. 222 of 2022 subject to condition that:-

7(i). At the time of accepting the bail bond of the petitioner, the court below will verify the fact as to whether the children are staying with the family of the petitioner or not. If the children are staying with the family of the petitioner then the bail bond of the petitioner shall be accepted by the Court below and if the children are not staying with the family of the petitioner then the bail bond of the petitioner shall not be accepted.

(Sandeep Kumar, J)

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