

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14413 of 2015

Arising Out of PS.Case No. -438 Year- 2014 Thana -BANKA District- BANKA

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1. Prafulla Yadav son of Parma Nand Yadav resident of Village - Deshara,
P.S. - Banka, District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the younger brother of the husband of the victim is languishing in custody since 19.11.2014 in a case registered for the offences punishable under section 304B/34 of the Indian Penal Code.

The accusation is of killing the sister of the informant after five months of the marriage for non-fulfillment of dowry demand. It is alleged by the informant that in the afternoon he visited the house of her late sister when this petitioner was also quarrelling and there was accusation of dowry demand against the entire in-laws family.

It is submitted by learned counsel for the petitioner

that petitioner is the brother of the husband of the victim and the victim received accidental burnt injury when admittedly as per own admission of the informant she was provided medical assistance by taking her to hospital. The husband of the victim while saving the victim received serious burnt injury and admitted at JLNMCCH, Bhagalpur for two months, the medical reports to that effect have been brought on record. The petitioner is a student and his remaining in custody will jeopardize his career.

Learned APP for the State, after going through the case diary submits that the accusation of demand of dowry is against the entire in-laws family including the petitioner.

Considering the fact that the thrust of accusation is against the husband of the victim and as submitted by learned counsel for the petitioner, he is in custody, let the above named petitioner 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 learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No.438 of 2014.

(Dinesh Kumar Singh, J)

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