

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41633 of 2015

Arising Out of PS.Case No. -48 Year- 2014 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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Mukesh Kumar @ Mukesh Singh, son of Naro Singh @ Narendra Singh,
resident of village- Bindidih, Police station- Silao, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. R.S. Chaudhary (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 341, 323, 498A, 304B and 201/34 of the Indian Penal Code.

Allegation against the petitioner is of assaulting and killing sister of the informant on account of non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 6.7.2015. Chargesheet has been submitted against the petitioner. There is no allegation of tampering of evidence against the petitioner. From perusal of the F.I.R. it would appear that the alleged occurrence is said to have taken place after 18 years of marriage of the deceased with the petitioner. Section 304B of the Indian Penal Code is not attracted in the present case as the alleged occurrence has taken place after a period of 7 years. From perusal of para-8 of the case diary it would appear that children of the deceased have stated that

their mother had died due to ill health.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Sharif at Nalanda, in connection with Silao P.S. Case no. 48 of 2014.

(Sudhir Singh, J)

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