

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13027 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -DARIYAPUR District- SARAN

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Shailesh Rai, Son of Vakil Rai, Resident of Village-Akilpur, P.S.-
Dariyapur, District- Saran at Chapra (Bihar) Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. A. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 02-09-2015

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks pre-arrest bail in connection with Dariyapur P.S. Case No. 164 of 2014 in which cognizance has been taken under Sections 498-A and 306 of the Indian Penal Code.

It is contended that the FIR is based on the basis of oral statement of the deceased Sugia Devi and the averments made in the fardbeyan would clearly demonstrate that on the relevant date there was no abetment on the part of the petitioner pursuant to which she committed suicide.

On the other hand, learned APP for the State has

vehemently opposed the prayer for pre-arrest bail of the petitioner. He has submitted that in the oral statement made by the informant, she has stated that she was being subjected to cruelty since the date of her marriage.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender within a period of six weeks from today, the petitioner is directed to be released on anticipatory 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 Chief Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 164 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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