

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50537 of 2014

Arising Out of PS.Case No. -751 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Pankaj Rajak Son of Nandu Rajak Resident of Mohalla - Bari Khanjarpur,
P.S. Barari, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Anusuaiya Jaiswal(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioner as well as
learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 341, 307, 498 A, 304 (B) and 34 of the I.P.C and section 3 of the Dowry Prohibition Act.

On the basis of statement of the victim who subsequently succumbed to the burn injury FIR has been registered wherein it has been alleged that the Devar called her inside the house and then Dewar, Gotni, mother-in-law, father-in-law and husband started assaulting her. They poured kerosene oil on her body and the husband lit the match and thereafter they fled

away. On alarm being raised her family members came who saved at that time. It is alleged that Bhaisur was not present in the house but yesterday assault has taken place due to him.

Submission is that against the petitioner no offence under section 304 (B) I.P.C. is made out. He was not present at the relevant time which is apparent from the FIR itself and only allegation against him is that yesterday assault has taken place due to him and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, the petitioner in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall 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. C.J.M. Bhagalpur in Kotwali P.S. Case No. 751 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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