

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27594 of 2014

Arising Out of PS.Case No. -36 Year- 2013 Thana -MAHILA P.S. District- BHAGALPUR

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1. Kundan Kumar @ Kundan Kumar Rai Son of Nageshwar Rai Resident of Village- Kilaghat, Sarai, Police Station- Tatarpur (kotwali), District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Dinesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner apprehends his arrest in connection with Mahila P.S. Case No. 36 of 2013 registered for the offences punishable under Sections 498A and 498 of the Indian Penal Code.

The petitioner is the brother of Chandan Kumar with whom the informant is married having a child from the wedlock also and due to non-fulfillment of demand of dowry she has been ousted and her husband is being instigated to arrange second marriage.

Submission is that Chandan Kumar is in custody,

the petitioner is his brother having no concern with his affairs and as such he deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above and considering the fact that the petitioner is the brother of the husband of the informant and the husband is in custody, the petitioner above named, in case of surrender or arrest within two months from the date of receipt/production of a copy of this order, is directed to be released on bail on execution of 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, Bhagalpur in connection with Mahila P.S. Case No. 36 of 2013, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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