

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22270 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -MALSALAMI District- PATNA

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1. Santosh Mistri @ Santosh Kumar Son of Sukhari Mistri, Resident of Mohalla- Chhoti Mandir Bundel Toli, Patna City, P.S.- Malsalami, District- Patna, At present Village- Nurichak, Masaudhi, P.S.- Punpun, Distt.- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Ram Chandra Sahni (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the elder brother of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after seven months of marriage for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general against the entire inlaws' family. The petitioner got partitioned from his father in 2005 and used to reside at village Nurichak, 35 kilometers away

from the place of occurrence and petitioner's name appears in the voter list of Ekauna panchayat where he has got his house under Indira Awas scheme. The marriage card of the victim also does not stipulate the name of the petitioner.

Considering the thrust of accusation against the husband of the victim, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Patnacity in connection with Malsalami P.S. Case No.271 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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