

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27588 of 2014

Arising Out of PS.Case No. -147 Year- 2013 Thana -AGIAUN District- BHOJPUR

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1. Sugyan Mushahar @ Sugyan Ram Son of Late Raja Ram Mushar
2. Jai Prakash Mushar Son of Late Raja Ram Mushar Both r/o Village
Bahadurpur, P.O. Bagawan, P.S. Agiaon (G), District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-01-2015 Heard the parties.

In this application for anticipatory bail the petitioners apprehend their arrest for the offence punishable under sections 304B/34 of the I.P.C and section 3 of the Dowry Prohibition Act.

Due to non fulfillment of demand of golden chain and she-buffalo the daughter of the informant was tortured in her in-laws house and ultimately either she was killed or she committed suicide by hanging.

Submission is of false implication and that the independent witnesses in paragraphs. 10, 11 and 12 has stated that the daughter of the informant was alone in the house and she committed suicide.

The learned A.P.P. submits that due to torturous act committed by petitioner no.1 being husband, the deceased committed suicide.

In the facts and circumstances as stated above, this Court is not inclined to grant pre-arrest bail to petitioner no.1, namely, Sugyan Mushahar @ Sugyan Ram and accordingly, such prayer of petitioner no.1 is rejected. But considering the position of petitioner no.2, namely, Jai Prakash Mushar, who is brother of petitioner no.1 and as submitted living separately, the petitioner no.2 Jai Prakash Mushar, 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. Arrah, Bhojpur in Agiaon (G) P.S. Case No. 147 of 2013, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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