

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51847 of 2015

Arising Out of PS.Case No. -54 Year- 2013 Thana -MAHILA P.S. District- VAISHALI(HAJIPUR)

Indrajeet Chaudhary @ Mantu @ Indrajeet Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. S.Ehteshmuddin(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 and 498 of the Indian Penal Code.

The prosecution case is of killing the sister of the informant after three years of the marriage for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the sister of the informant was suffering from kidney ailment for which she was undergone a prolonged treatment and ultimately she died on 05.06.2013 but the FIR was registered after about three months on 02.09.2013 with a frivolous accusation. On conclusion of the investigation, the police did not sent up the

petitioner for trial and final form was submitted but the learned court below differing with the final form took cognizance under Section 498A of the IPC.

Considering the delayed lodging of the case, during investigation the accusation being found not true and ultimately cognizance has only been taken under Section 498A of the IPC, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Hajipur, Vaishali in connection with Mahila (Hajipur) P.S. Case No. 54 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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