

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25984 of 2015

Arising Out of PS.Case No. -142 Year- 2006 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Raju Gope S/O Naresh Gope Resident of village Tribhuban Bigha, Police
Station- Tharthari, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-07-2015

The petitioner is apprehending his arrest in
connection with Chande (Tharthari) P.S. Case No. 142 of 2006
for the offence under Sections 304B, 201/34 of the Indian
Penal Code.

Heard learned counsel for the petitioner and the
State.

The prosecution story, in brief, is that the daughter
of the informant was married with the petitioner about 15 years
ago but after few days of marriage the petitioner demanded
dowry and killed her for non-fulfillment of dowry demand.

It is submitted on behalf of the petitioner that
petitioner has been falsely implicated in the present case. It is
further pointed out that police after investigation had
submitted final form against the petitioner and others where
the case was found to be false. The learned court below

thereafter differing with the police report had taken cognizance under Section 304B of the Indian Penal Code. The said order was subsequently challenged before this Court, where the order of cognizance was set aside and the matter was again remitted back. Subsequently, in the year 2012 the learned court below again took cognizance for an offence under Section 304B of the Indian Penal Code and hence, the present application has been preferred by the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the First Information Report.

Considering the aforesaid facts that the police had found the case to be false, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 learned Judicial Magistrate, Ist Class, Hilsa, Nalanda in connection with Chandi (Tharthari) P.S. Case No. 142 of 2006, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sudhir Singh, J)

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