

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56237 of 2015

Arising Out of PS.Case No. -134 Year- 2014 Thana -NARDIGANJ District- NAWADA

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Sunil Choudhary

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being elder brother of the husband of the victim is languishing in custody since 2.8.2015 in a case registered for the offences punishable under Sections 498A and 304B/34 of the Indian Penal Code.

The accusation is of killing the sister of the informant by throttling her for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that as per own admission of the informant the marriage of the victim was performed eight years prior to the death hence the case does not come within the purview of section 304B IPC. The informant is not the eye witness to the occurrence and during investigation the case has, prima facie, been found under section 306 IPC. It is further submitted that the accusation is not being

corroborated with the medical opinion.

Considering the fact that the investigation has already concluded, let the above named petitioner 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 CJM, Nawada in connection with Nardiganj P.S. Case No. 134 of 2014.

(Dinesh Kumar Singh, J)

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