

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4919 of 2016

Arising Out of PS.Case No. -298 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

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1. Ravindra Mistry @ Ravindra Sharma, Son of Late Shivkar Mistry @ Late Shiv Mistry Resident of Village- Kamasi, P.S. & District- Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque

For the Opposite Party/s : Mr. Amrendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 04-03-2016

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Sheikhpura Police Station Case No. 298 of 2015, disclosing offences under Section 304B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased.

Learned Counsel for the petitioner submits that no offence under Section 304B of the Indian Penal Code is made out inasmuch as there is no allegation that soon before the death of the deceased, any demand for dowry or torture thereof were made. Hwe further submits that there is no chance that the petitioner would be tampering with the evidence or fleeing from the course of Justice, if granted the privilege of anticipatory bail.

I find force in the submission of the learned

Counsel for the petitioner that there is no allegation in the First Information Report that soon before the death of the deceased, there was any demand for dowry and torture thereof were made.

Considering the submission, as above, this application is allowed.

Let the petitioner, Ravindra Mistry @ Ravindra Sharma, in the event of his arrest or surrender before the Court below within six 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 Chief Judicial Magistrate, Sheikhpura, in connection with Sheikhpura Police Station Case No. 298 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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