

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20025 of 2016

Arising Out of PS.Case No. -13 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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VIRENDRA PRASAD YADAV @ BIRA RAI @ BIRA SINGH Son of
Rajaram Rai Resident of Village -Dostiya, PS Lokhaura, district East
Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Amit Kumar Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned counsel for the petitioner and the learned
Additional Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out of
Muffasil (Lakhaura) P.S.Case No. 13/2015, disclosing offences
under sections 304B, 201/34 of the Indian Penal Code and section
3/4 of the Dowry Prohibition Act.

The petitioner is the father-in-law of the deceased.

Learned counsel for the petitioner has submitted that no
date of marriage has been given in the First Information Report
and there is vague assertion that the marriage was solemnized in
the year 2008. He submits that as a matter of fact, the deceased
was married to the petitioner's son more than seven years ago and
no offence under section 304B of the I.P.C. is made out. It has

further been submitted that there is no allegation that soon before the date of death there was any demand of dowry. It has also been submitted that the allegation in the F.I.R. of demand of dowry is omnibus.

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

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Chief Judicial Magistrate, Motihari in Muffasil (Lakhaura) P.S.Case No. 13/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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