

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14352 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -PARSAUNI District- SITAMARHI

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1. Kaushal Singh @ Kaushal Kishore Singh, S/o Late Ram Sawrup Prasad Singh Resident of Village- Balha, P.S.- Parsauni, Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 21-06-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Parsauni P.S. Case No. 131 of 2015, disclosing offences under Sections 326,304B of the Indian Penal Code & section 34 of the Dowry Prohibition Act.

The petitioner is the father-in-law of the deceased. The husband of the deceased has not been made an accused. Initially the First Information Report was registered on 22.12.2015 for the offences under Sections 326/307/34 of the Indian Penal Code for an occurrence which had allegedly taken place on 13.12.2015. The *fardbeyan* of the informant was recorded on 15.12.2015. The deceased died of burn injuries in course of treatment.

Learned counsel for the petitioner has submitted that there is allegation of demand of motorcycle as dowry against elder brother of the husband of the deceased Amit Kumar Singh which appears to be

improbable. He has further submitted that it is evident from the First Information Report that the deceased was taken to a local Hospital and thereafter to S.K.M.C.H, Muzaffarpur for her treatment. Considering the nature of allegation and the background of the petitioner, there is no chance of fleeing away from the course of investigation or trial, he contends.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

In view of the submission as above, this application is allowed. Let petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below 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 Sri Bipin Lawania, learned Judicial Magistrate, Ist Class, Sitamarhi in Parsauni P.S. Case No. 131 of 2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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