

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15992 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -JURAWNUPUR District-
VAISHALI (HAJIPUR)

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Manish Rai, Son of Kailu Rai, resident of Village-Raghopur
East, P.S.-Jurawanpur, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :Mr. Surya Narayan Roy, Adv.

For the Opposite Party/s:Mr. Subhash Chandra Mishra (App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

4 12-07-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jurawanpur P.S. Case No.33 of 2015,
disclosing offences under Sections 304(B) and 201/34
of the Indian Penal Code.

The petitioner is the husband of the deceased.

Learned counsel for the petitioner has
submitted that the deceased was suffering from heart
ailment for which she was undergoing treatment and



she died because of cardiac failure. He has also submitted that on the basis of the allegations, made in the First Insurance Report, no offence, under Section 304(B) of the Indian Penal Code, is made out inasmuch as there is no allegation that soon before the death of the deceased, there was any demand for dowry. He has lastly submitted that the informant, after having realized the true state of affairs, has retracted from his earlier version as contained in the First Information Report.

Considering the submission, as above, this application is allowed. Let the petitioner, abovenamed, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Vaishali at Hazipur**, in connection with **Jurawanpur P.S. Case No.33 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.)

Praveen-II/-

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