

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20418 of 2016

Arising Out of PS.Case No. -399 Year- 2015 Thana -PHULWARI District- PATNA

Sanjay Rai @ Sanjay Kumar son of Ramashish Rai,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Advocate

For the Opposite Party/s : Mr. R.N.Jha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the elder brother of the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 304B, 302, 201, 34 of the Indian Penal Code.

Prosecution case is of killing the daughter of the informant.

It is submitted by learned counsel for the petitioner that though the case has also been lodged under section 304B IPC but as per own admission of the informant the marriage was performed 15 years prior to death, hence, the case does not come within the purview of section 304B IPC. Moreover, the accusation is omnibus and general. Admittedly, the informant is not an eye witness to the occurrence and the husband of the informant is in

custody.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna, in connection with Phulwarisharif (Janipur) P.S. Case No.399/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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