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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30006 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -MARHAURA District- SARAN

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Upendra Mahto S/o Banai Mahto R/o Village Tal Puraina Muria Tola, P.S.- Marhaurah, District- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 304B and 201/34 of the Indian Penal Code.

Allegation is that daughter of the informant had been tortured and killed by the petitioner and other family members due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that he is in custody since 8.3.2016. Chargesheet has been submitted against the petitioner. Petitioner has got no criminal antecedent. No allegation of tampering of witnesses is alleged against the petitioner. In para-5 of the case diary the statement of the Bua of the deceased has been recorded. She has stated that on information she had gone to the house of the deceased and informed the father of the deceased that his daughter has died due to illness. Father of the deceased, since he was residing at Assam, asked her to get cremation of the deceased done. The F.I.R. has been instituted by the uncle of the deceased with ulterior motive.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra , in connection with Marhowraha P.S. Case no. 38 of 2015.

(Sudhir Singh, J)

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