

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42456 of 2016**

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Vijay Das @ Bijay Das, Son of Late Albela Das, Resident of Mohalla -  
Prasad Bigha, P.S. Nawada, District – Nawada .... Petitioner/s

Versus

The State of Bihar .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Deepak Kumar, Advocate  
For the Informant : Mr. Bimal Kr. Jha, Advocate  
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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

2      17-10-2016                      Heard learned counsel for the petitioner, learned  
  
counsel for the informant and learned Additional Public  
  
Prosecutor for the State.

This application for grant of anticipatory bail arises out  
of Nawada Town P.S. Case No. 365 of 2016, disclosing offences  
under Section 304B of the Indian Penal Code.

The petitioner is the brother of the husband of the  
deceased.

Learned counsel for the petitioner has submitted that  
there is no specific allegation against the petitioner of making  
demand of dowry. He has submitted that the allegations are vague  
against all the accused persons.

Learned counsel appearing on behalf of the informant  
has vehemently opposed the prayer for anticipatory bail and has  
submitted that there being presumption under the law, the

petitioner is not entitled for grant of anticipatory bail.

However, considering the allegation made in the First Information Report and the submissions made on behalf of the petitioner as noted above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 365 of 2016, 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)**

Vats/-c

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