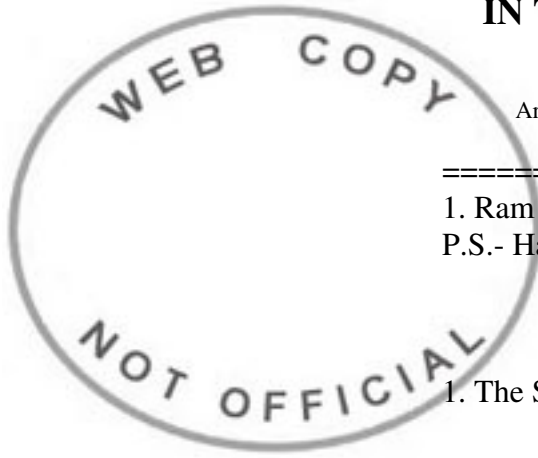




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8755 of 2016

Arising Out of PS.Case No. -275 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

=====

1. Ram Priya Bind son of Balram Bind, R/o Village- Dharampur Langhaura,
P.S.- Harnaut, District- Nalanda

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Pushpa Sinha No.2 (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter Lalita Devi was married with the petitioner. The informant was informed on the previous night of lodging of the FIR through mobile that the petitioner and the petitioner's parents and brother assaulted her daughter whereas the petitioner assaulted on the abdomen of the informant's



daughter. The informant was planning to visit the inlaw's house of her daughter but next morning she came to know that her daughter is dead due to brutal assault by her inlaws for non-fulfillment of dowry demands of rupees two lacs fifty thousand.

It is submitted by the learned counsel for the petitioner that deliberately the date of marriage has not been disclosed in the FIR since the victim was married in 2008 hence the case does not come within the purview of section 304B IPC. The victim was suffering from tuberculosis since long and was given medical assistance also. The postmortem report reflects two abrasions on the abdomen and hand but the cause of death has been suggested as massive plural effusion due to tuberculosis.

Considering the fact that the accusation is not being corroborated by the medical opinion, 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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, Nalanda at Biharsharif in

connection with Harnaut P.S. Case No.275 of 2015 subject to
the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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