

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57331 of 2015

Arising Out of PS.Case No. -217 Year- 2015 Thana -ARARIA District- ARRARIA

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Amit Kumar Gupta S/o Late Shiv Shankar Prasad Gupta Resident of
Village- Kali Bazar, Ward No. 13 P.S. & District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 05-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with Araria P.
S. Case No. 217 of 2015 registered under Section 304-B and
201/34 of the Indian Penal Code and Sections 3 and 4 of Dowry
Prohibition Act.

It is contended that there is no truth behind the
allegation made in the FIR. The victim died due to accidental
fire. A report in this regard was also made to the police on the
basis of which U.D. Case No. 5 of 2015 was instituted on
07.05.2015. The informant of the case instituted the present
case after three days of the alleged incident on 10.05.2015 and

made completely false and baseless allegations against the petitioner.

Referring to the certain paragraphs of the case-dairy, learned counsel for the State has also conceded that during investigation, it has come to light that an accidental fire had broken out and an emergent information was given to fire rescue service provider and, accordingly, a fire fighter vehicle has also come at the place of occurrence but, despite efforts of the petitioner and other family members, the deceased could not be saved. However, he has opposed the bail on the ground that several witnesses have supported the allegation that the victim was killed in her marital home due to non-fulfilment of dowry.

Regard being had to the facts and circumstances of the case, the petitioner above named is directed to 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, Araria in Araria P. S. Case No. 217 of 2015.

(Ashwani Kumar Singh, J.)

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