

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7790 of 2016

Arising Out of PS.Case No. -504 Year- 2015 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Dipu Singh @ Suryabhan Prakash, S/o Sri Bhola Singh, resident of
Village- Tarahani, P.S.- Sonahan, District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate

For the Opposite Party/s : Mr. Suresh Pd.Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 01-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory arises out of
Aurangabad (Town) Police Station Case No. 504 of 2015, disclosing
offences under Sections 306, 498 of the Indian Penal Code.

Learned Senior Counsel appearing on behalf of the
petitioner submits that no case of abetment of suicide against the
petitioner is made out even if the allegation as contained in the First
Information Report is treated to be true. The petitioner is the husband
of the deceased.

Learned counsel appearing on behalf of the informant has
submitted that the allegation made in the First Information Report
constitutes an offence under Section 304B of the Indian Penal Code.
The said submission is fit to be rejected at the very outset, as, even

according to the First Information Report the deceased and the petitioner were married in the year 2006. Therefore, there is no question of making out a case under Section 304B of the Indian Penal code.

Considering the allegation in the First Information Report and the submissions so advanced, this application is allowed. Let the petitioner above-named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Aurangabad (Town) P. S. Case No. 504 of 2015, 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)

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