

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9899 of 2016

Arising Out of PS.Case No. -264 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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RAKESH SAH, son of Gobardhan Sah, resident of Village- Awaraiya, P.S.-
Kudra, District-Kaimur (Bhabua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-04-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, who is the husband, apprehends arrest

in connection with Kudra P.S. Case No. 264/15 for offences

alleged under Sections 304-B/201/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant,

is that the accused persons including the petitioner killed the

daughter of the informant for a motorcycle demanded as dowry

and destroyed the dead body by cremating it.

It has been submitted by the learned counsel for

the petitioner that there is no allegation in the First Information

Report against him, and that, soon before the death of the deceased

neither there was any demand of motorcycle nor there is any

allegation that any dowry was demanded as consideration for marriage. It has further been submitted that the petitioner has no criminal antecedent and the allegation upon him is false, as the wife died due to sickness. Furthermore, counsel for the petitioner submits that the father-in-law and mother-in-law, against whom there was also similar allegation, have since been granted the privilege of anticipatory bail in Cr. Misc. No. 7770/16 on 31.03.2016 by a Co-ordinate Bench of this Court.

However, learned APP for the State submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 learned Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Kudra P.S. Case No. 264/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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