

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22335 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -EKANGARSARAI District-
NALANDA (BIHARSHARIFF)

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1. Deepak Mali @ Deepak Malakar, S/o Radhey Shyam Mali.

2. Jhaliya Devi @ Jhalao Devi, W/o Radhey Shyam Mali.

Both residents of Village-Mali Tola Ekangersarai, P.S.-
Ekangersarai, District-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Ganesh Pd. Singh (App)

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

ORAL ORDER

4 21-07-2016 Petitioner No.2, namely, Jhaliya Devi @ Jhalao
Devi, has already been granted the privilege of
anticipatory bail by this Court *vide* order, dated
20.05.2016.

Heard learned counsel for petitioner No.1 and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ekangersarai P.S. Case No.16 of 2016,

disclosing offences under Sections 304(B)/34 of the Indian Penal Code.

Petitioner No.1 is the elder brother of the husband of the deceased.

Learned counsel, appearing on behalf of petitioner No.1, referring to the First Information Report, has submitted that there is no specific allegation against petitioner No.1 of making any demand for dowry or causing any torture therefor. He has also submitted that there is no allegation that soon before the death of the deceased, there was any demand made for dowry.

Considering the nature of allegation, this application is allowed to the extent it relates to petitioner No.1. Let petitioner No.1, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, Hilsa, Nalanda**, in connection with **Ekangarsarai P.S. Case No.16 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that petitioner No.1, above named, 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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