

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43549 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -PANCHRUKHI District- SIWAN

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Bharat Sharma, Son of Late Bhola Sharma, Resident of village - Jashauli
Kharag, P.S. Pachrukhi, District - Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -2, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 21-11-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner, who is father-in-law of the victim, is languishing in custody since 01.06.2016 in connection with Pachrukhi P.S. Case No. 23/16 for offence alleged under Section 304-B/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The allegation is that due to non-fulfillment of demand of dowry daughter of the informant was killed by the petitioner and the victim's husband.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case as one day after lodging of the First Information

Report, the informant has given in writing to the Officer-in-Charge of the said police station that the First Information Report has been lodged under some mistaken belief. He submits that the husband of the deceased Nikki Devi is in judicial custody since 24.07.2016. He further submits that the petitioner is an old man aged 73 years and only general and omnibus allegation has been levelled against him.

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

Considering the materials on record and that the husband of the deceased is in judicial custody, let petitioner, above named, be enlarged 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 Addl. Chief Judicial Magistrate-VI, Siwan in connection with Pachrukhi P.S. Case No. 23/16.

(Nilu Agrawal, J.)

Rajesh/-

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