

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34216 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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Bablu Dubey son of Gauri Shankar Dubey.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the brother of the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 304B and 498A/34 of the Indian Penal Code.

The prosecution case is of killing the daughter of the informant after one year of marriage by causing burn injuries for non-fulfillment of the dowry demand.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general against the entire in-laws family including the petitioner. The investigation is still pending against the petitioner whereas against the husband of the victim final report was submitted who was put on trial but has been acquitted vide judgment

dated 14.07.2016 passed in S. Tr. No. 577 of 2015 by learned Addl. Sessions Judge-III, Bettiah, a typed copy of the same has been brought on record as Annexure-2. The acquittal has been recorded since the informant being the father of the victim, who has been examined as P.W. No.5, has not supported the accusation of either of demand of dowry or torture rather he suggested that his daughter received accidental burn injury and consequently died.

Considering the fact that the husband of the victim has been acquitted, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Majhauria P.S. Case No. 197 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioners if he fails to co-operate in the investigation or he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

Amrendra/-

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