

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13972 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -SARAIYA District-
MUZAFFARPUR

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1. Pramod Kumar, Son of Ramesh Roy, resident of Village -
Parihyar, P.S. + P.O. - Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s :Mr. Dilip Kumar Roy, Adv.

For the Opposite Party/s :Mr. Ram Bachan Singh, APP

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

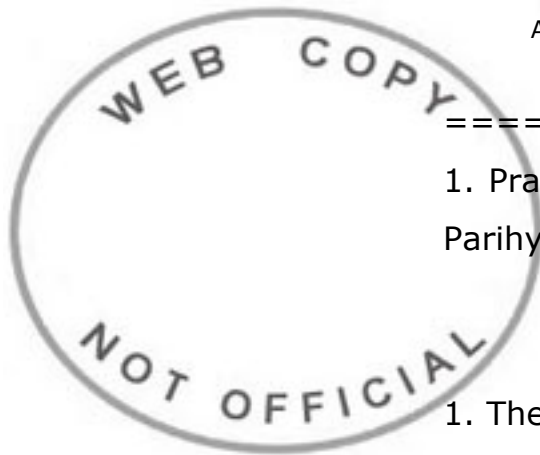
ORAL ORDER

2 11-04-2016 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Saraiya P.S. Case No.06 of 2016, disclosing
offences under Sections 304(B) and 201/34 of the
Indian Penal Code.

The petitioner is the brother of the husband of
the deceased.

Learned counsel for the petitioner submits that
no offence, under Section 304(B) of the Indian Penal





Code, is made out against the petitioner on the basis of allegation, as contained in the First Information Report, inasmuch as there is no allegation that any demand of dowry was ever made and further no date of marriage of the deceased with the petitioner has been given, making out a case that the death, took place within seven years of the marriage. He has further submitted that no specific role, in any manner, of this petitioner in commission of offence has been alleged.

I find substance in the submission made on behalf of the petitioner and on perusal of the First Information Report. This application is, accordingly, allowed. Let the petitioner, abovenamed, 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, West Muzaffarpur**, in connection with **Saraiya P.S. Case No.06 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 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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