

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29225 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -NAYAGAON District- SARAN

1. Braj Mohan Singh, Son of Suresh Singh, resident of village - Bariyarchak, Police Station - Nayagaon, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Nayagaon P.S. Case No. 48 of 2016, disclosing offences under Section 302 read with Section 34 of the Indian Penal Code and Sections 25(1-b)a/26/27/30/35 of the Arms Act.

The petitioner is the husband of the deceased. The deceased was married to the petitioner nearly 9 years ago. There is allegation of demand of dowry being made

from the informant. It is alleged in the First Information Report that the father-in-law of the deceased shot the deceased dead.

Learned counsel for the petitioner has submitted that the petitioner is employed in Indian Air Force and on the date of occurrence, he was not present in the village. He has submitted that since main accusation is against the father of the petitioner, the petitioner may be given the privilege of anticipatory bail.

Considering the fact that the petitioner is a member of Indian Air Force and the allegation of assault is against his father, this application is allowed. Let the petitioner, 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 2nd Additional Chief Judicial Magistrate, Chapra, Saran,** in connection with **Nayagaon P.S. Case No. 48 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, 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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