

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28081 of 2016**

Arising Out of PS.Case No. -137 Year- 2015 Thana -KHUSRUPUR District- PATNA

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1. Surendra Sao son of Late Shivlal Sao, resident of Village- Pachrukha,  
P.S Khusrupur, district- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Sri Lalan Kumar

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      24-08-2016      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner being the uncle of the husband of the  
deceased apprehends his arrest in connection with a case  
registered for the offences punishable under Sections 304B/34 of  
the Indian Penal Code.

Diary in this case was called for earlier, which has, since  
been received.

The allegation against the petitioner is that he along with  
others had participated in the occurrence in which the husband of  
the deceased had set her afire.

Learned counsel for the petitioner submits that it is rather  
improbable that the uncle of the husband will participate in any

demand for dowry and also be there to catch hold of her while she was being set on fire. He further submits that in paragraph Nos. 27, 28 and 29 of the case diary, it has come on record that none of the persons were present when the informant went to the hospital. Further, it is also submitted that admittedly the informant is not the eye-witness and she has also not disclosed from what source she has come to know that the petitioner had participated in the occurrence.

Having heard learned counsel for the parties and on perusal of the materials which have surfaced in the case diary, there appears to be no cogent materials against this petitioner, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City, Patna in connection with Khusrupur P.S. Case No. 137 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Anjana Mishra, J)**

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