

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56880 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -MALAYPUR District- JAMUI

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Abhishek Kumar Singh @ Abhishek Singh, S/o Sri Anil Singh, R/o Vill-
Garhwa Katauna, P.S.- Malaypur, Distt- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 26-02-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of
Malaypur P.S.Case No. 26/2015, disclosing offences under
sections 304/34 of the Indian penal Code and 3/4 of the Dowry
Prohibition Act.

It transpires from the First Information Report that Rajni
Singh, her minor daughter and minor son died in the occurrence.
The petitioner is brother of the husband of the deceased, Rajni
Singh. The marriage between husband and the deceased was
solemnized on 29.6.2011. The father of the deceased Rajni Singh
is the informant and it has been alleged in the First Information
Report lodged on 6.7.2015 that he learnt about the death of three

persons on 5.7.2015. It has been alleged that they used to make demand for dowry.

Learned counsel, appearing on behalf of the petitioner, submits that the petitioner is an employee in Tata Motors. According to him, the occurrence took place on 5.7.2015 because of some altercation between the deceased Rajni Devi and her husband and in a fit of rage the deceased committed suicide and in the occurrence the two children also died. He submits that no motive has been assigned in the F.I.R. for involvement of this petitioner in the offence.

Learned Addl. Public Prosecutor, appearing on behalf of the State, has not been able to point out any material from the case diary, which suggests involvement of the present petitioner in the commission of offence.

Considering the submissions and the material on record, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jamui in Malaypur P.S.Case No. 26/2015, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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