

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58178 of 2015

Arising Out of PS.Case No. -625 Year- 2015 Thana -BIHTA District- PATNA

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Babu Lal Yadav @ Babul Yadav, Son of Late Ram Barai Yadav, resident of Dalelganj, P.S.- Bihta, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pushpendra Priyedarshi, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 30-01-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Bihta P.S. Case No. 625 of 2015, disclosing offences under Sections 304B/34 of the Indian Penal Code.

The petitioner is the father-in-law of the deceased.

Learned counsel for the petitioner submits that even if the prosecution case as narrated in the fardbeyan is taken to be true on its face value, no offence under Section 304B of the Indian Penal Code is made out inasmuch as there is no allegation of causing death of the deceased nor there was any demand of dowry. He submits that the allegations are general and omnibus in nature against all the accused persons and implication of the petitioner is

based on mere suspicion.

I find substance in the submission made on behalf of the petitioner upon going through the First Information Report. This application is, accordingly, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 625 of 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)

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