

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49357 of 2017

Arising Out of PS.Case No. -129 Year- 2006 Thana -ADAPUR District- EASTCHAMPARAN(MOTIHARI)

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Dhiraj Kumar S/o Anil Kumar @ Anil Kumar Barnwal, R/o Village-
Shyampur Bazar, P.S.- Adapur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 17-10-2017

Heard learned counsel for the petitioner and learned

APP for the State.

This is a case registered under Sections 304B/34 of
the Indian Penal Code.

The FIR discloses that the accused persons including
the petitioners have murdered the daughter of the informant for
demand of dowry.

Counsel for the petitioner has drawn attention of the
Court towards the deposition of the informant in another sessions
trial wherein he has not supported the allegations. Relying on the
aforesaid statement this Court vide order dated 08.02.2013 passed
in Cr. Misc. No. 3088 of 2013 has granted bail to the husband



(elder brother of the instant petitioner). A further submission is that petitioner has separate and independent establishment from the husband of the deceased and that the deceased had committed suicide.

In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran in Adapur P.S. Case No. 129 of 2006 subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner,



his bail will be liable to be cancelled for reasons of misuse.

- (iii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

Prakash/-

(Madhuresh Prasad, J)

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