

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17446 of 2017

Arising Out of P.S.Case No. -525 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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Anil Kumar Sharma Son of late Rameshwar Sharma Resident of Village-
Lahladpur, P.S. Kanti, O.P. Panapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar, Advocate

For the Opposite Party : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 03-05-2017

Heard.

The petitioner apprehends his arrest in connection with Kanti P.S.Case No.525 of 2016 registered for an offence under Sections 306 and 201/34 of the IPC.

Munni Devi, informant is the wife of Dipak Kumar Sharma, the deceased. The informant has alleged that she married with Dipak Kumar Sharma in the year 2012 but after marriage, father-in-law, mother-in-law and brothers-in-law of the informant started torturing her and her husband for bringing dowry. On 21.11.2016, the informant and her husband stated that they wanted to live in the house but on this, the petitioner assaulted her husband with *lathi*. The informant alleged that on being humiliated and assaulted by the family members and father, the



husband of the informant committed suicide by consuming poison and his dead body was hurriedly cremated. Then, the informant wanted to inform her father but her mobile was snatched by her brother-in-law Bittu Sharma.

Learned counsel for the petitioner submits that petitioner is full brother of the father-in-law of the informant. He is residing separately from his brother and his family members. He has no concern with their affairs. In course of investigation most of the witnesses have stated about separation in between the petitioner and his brother's family.

Learned APP on the other hand opposed the submissions.

On perusal of the case diary, it appears that this petitioner is brother of the father-in-law of the informant. It was the father-in-law of the informant who assaulted her husband. After assault her husband consumed some poison resultantly he died. From paras-32, 33, 34, 35, 36, 37, 45 and 46 of the case diary, it appears that witnesses have stated that this petitioner is residing separately from his brother and his family members. The deceased had quarreled with this wife (informant) just on the preceding day.

Considering the facts and circumstances of the case,



let the above named petitioner in the event of his arrest or surrender in the court below be admitted on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, (West), Muzaffarpur in connection with Kanti P.S.Case No.525 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjay Kumar, J)

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