

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 12535 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -PHULWARI District- PATNA

=====

Dilip Rai, Son of Late Bangali Rai, Resident of Village Malahi Khanda,
P.S. Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Rajeev Ranjan Sinha, Advocate

For the S t a t e : Mr Panchanand Pandit, APP

=====

CORAM: HONOURABLE MR JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 **27-03-2017** The petitioner is apprehending his arrest in connection with Phulwarisharif Police Station Case No 239 of 2016 registered for offences punishable under Sections 498A, 307 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

It is submitted on behalf of the petitioner that earlier this case was lodged under Sections 498A, 307 of the Indian Penal Code but later on as the deceased died, Section 304B of Indian Penal Code has been inserted in this case. It is further submitted that in her dying declaration, the deceased had disclosed the names of her mother-in-law and sister-in-law (Nanad) as persons responsible for causing her death. It is submitted that petitioner is the Bhainsur of the deceased.

Heard learned APP also.

Having heard both sides and in view of the facts and



circumstances stated above, let the petitioner, above named, in the event of arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Patna in connection with Phulwarisharif Police Station Case No 239 of 2016 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The petitioner will not induce any witness or tamper with the evidence.

(iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

M.E.H./-

U			
---	--	--	--

