

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50993 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -CHAND District- BHABHUA (KAIMUR)

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Anand Prakash Shrivastawa, Son of Lallan Shrivastawa, R/o Village Chandos, P.S. Chand, District Kaimur at Bhabua. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

03 20-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Chand P.S. Case No. 94 of 2017 registered under Section 304-B/34 of the Indian Penal Code.

As per the prosecution case, the petitioner who happens to be the husband of the deceased is said to have poisoned to death the deceased for dowry demand.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged has took place. As a matter of fact, the deceased herself consumed poison as the petitioner had failed to oblige her to drop her to in maternal house rather had gone to 'gauna' of his friend's son. The aforesaid fact has also been corroborated by the Chowkidar of the village, some of the



- 2 -

independent witnesses and also by the son of the deceased. Barring the informant and his family members none has supported the prosecution case. The police has submitted chargesheet under Section 306 of the Indian Penal Code. The petitioner has been languishing in custody since 24.05.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 learned Additional Chief Judicial Magistrate-IV, Kaimur at Bhabua in connection with Chand P.S. Case No.94 of 2017 (G.R. No.1011/17).

(Prakash Chandra Jaiswal, J)

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