

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53923 of 2017

Arising Out of PS.Case No. -395 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Birendra Prasad, son of Prabhu Mahto, resident of Village- Raja Kuwan,
P.S.- Bihar, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Samir Kumar Sinha, Advocate.

For the Opposite Party : Mr. Anil Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302/34, 498(A) of the IPC
and 3/4 of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the present



case due to petty family dispute. After investigation, the police has found the case to be false under Section 302 of the IPC. The Investigating Officer has submitted charge sheet for the offence under Section 306 of the IPC.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Nalanda at Biharshariff, in connection with Bihar P.S. Case No. 395 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

