

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1828 of 2017**

Arising Out of PS.Case No. -1197 Year- 2012 Thana -COMPLAINT CASE District- JAMUI

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1. Dilip Das @ Dilip Ravi Das, Son of Nand Kishore Das, Resident of village - Sugwa Mahua, Police Station Barhat, District - Jamui

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Kunti Devi, Wife of Late Chando Das, resident of village - Nazari, P.S. Laxmipur, Distt. - Jamui

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Nityanand Tiwary

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA**  
**ORAL ORDER**

2      19-01-2017                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2.              The petitioner is apprehending his arrest in connection with Complaint Case No. 1197C of 2012 registered for the offence punishable under Sections 304(B), 498(A) and 201 of the Indian Penal Code.

3.              Accusation is of murder for non fulfillment of dowry deamnd of Rs. 50,000/- and colour T.V.

4.              Learned counsel for the petitioner, at the very outset, has submitted that the victim performed marriage with the petitioner in the year 2005 and she died in the year 2012 after more than seven years of marriage, therefore, the entire case does not attract Section 304B of the Indian Penal Code. In fact, the victim was at her parent's house where she died. Further, there is



no eye witness to the occurrence and also accusation is not specific against this petitioner. Moreover, prior to filing of this case, an F.I.R. bearing Bharat P.S. Case No. 68 of 2011 has also been lodged by the complainant herself for the same and similar occurrence against the other accused person, which is evident from Annexure-2 of this petition. Further, father of this petitioner has already been granted bail by a co- ordinate Bench of this Court in Cr. Misc. No. 22273 of 2016.

5. Considering the facts and circumstances of the case and the nature of allegation made against the present petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000 (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of S.D.J.M., Jamui in connection with Complaint Case No. 1197C of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Arvind Srivastava, J)**

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