IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.191 of 2017

Arising Out of PS.Case No. -1 Year- 2016 Thana -PHULWARIA District- GOPALGANJ

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Upendra Yadav @ Upendra Kumar Yadav Son of Master Yadav @ Master Chaudhari, Resident of Village- Gidha, Tola Rakba, Sripur O.P and P.S.- Fulwariya, District- Gopalgang

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Indrajeet Bhushan
For the Opposite Party/s : Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL ORDER

4 13-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner apprehends his arrest in connection with Fulwariya P.S. Case No. 1 of 2016 registered under Sections- 304B/ 201/ 34 of the Indian Penal Code.

The allegation against the petitioner is of torture and assault due to non-fulfillment of demand of dowry. The daughter of the informant and ultimately done to death.

Learned counsel for the petitioner submits that petitioner neither demanded any dowry nor tortured the deceased. In fact, victim was a patient of epilepsy and due to severe epileptic attack she died. Informant, in his restatement has stated that her daughter never alleged any demand of

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dowry. When deceased died, information was given to him and his son attended the cremation.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of acjm, XIII, Gopalganj in connection with Fulwariya P.S. Case No. 1 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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