

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40357 of 2017

Arising Out of PS.Case No. -163 Year- 2015 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Shambhu Sada, Son of Vishuni Sada, Resident of Village- Bhajwatpur,
Tola- Baraipura, P.S.- Sarairajan, Distt.- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-09-2017 Heard learned counsel for the petitioner and leaned

Additional Public Prosecutor of the State.

The petitioner is apprehending his arrest in connection
with Sarairanjan P.S. 163 of 2015 registered for offences
punishable under Sections 304B/34 of the Indian Penal Code.

The informant has alleged that his daughter was
murdered by her brother-in-law (petitioner) due to non-fulfillment
of demand of dowry. It has been submitted that the husband of the
deceased is already in custody since 27.01.2017 There is general
and omnibus allegation against the petitioner.

Learned Additional Public Prosecutor opposes the
prayer of bail.

On perusal of F.I.R. it appears that the petitioner is



brother –in-law of the deceased. Accordingly, prayer of Anticipatory bail of petitioner is allowed and in the event of his arrest or surrender before the Court below within a period of six weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Sarairanjan P.S.Case No. 163 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Samastipur, subject to the conditions laid down under Section 438 (2) Cr.P.C. with other conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the Court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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