

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38031 of 2017

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1. Sunil Prasad @ Sunil Kumar Son Of Trilokinath, Resident Of Village-Bairiya, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State Of Bihar.
2. Chandeshwar Prasad Son Of Late Jhunjhun Prasad, Resident Of Village-Mahpur, P.S.- Bochahaon, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.-42

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 16-08-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner, who is Maternal father-in-law (Mama) of the husband of deceased, Chandni Kumari, apprehends his arrest in connection with Trial no. 954 of 2017 arising out of Complaint Case No. 2846 of 2012 registered for offences punishable under Sections 304 (B), 201/34 of the Indian Penal Code.

The F.I.R. was lodged on the basis of written report of the father of the deceased. The matter was investigated and police submitted final form against the petitioner and other co-accused under Section 306 of the Indian Penal Code. A protest petition was filed by the informant and in course of enquiry two witnesses supported the allegation of demand of dowry and causing her death for non-fulfillment of demand and accordingly, cognizance of offence was taken place against the petitioner and other co-



accused.

It appears that parents and sister-in-law (Nanad) of the victim have been allowed anticipatory bail by one of the co-ordinate Bench of this Court on 06.10.2010 in Cr. Misc. No. 33527 of 2017 and the husband of the victim has been allowed regular bail on 26.05.2010 in Cr. Misc. No. 18241 of 2010. This petitioner is Maternal father-in-law of the deceased, residing at different place and his case stands on better footing and so he deserves anticipatory bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

Having regard the facts and circumstances of the case, let the petitioner, above named, 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 bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each in connection with Trial No. 954 of 2017 arising out of Complaint Case No. 2846 of 2012 to the satisfaction of Sri S.K. Roy, learned Judicial Magistrate, 1st class, Muzaffarpur, subject to the conditions laid down under Section 438 (2) Cr.P.C.

(Sanjay Kumar, J)

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