

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42822 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Santosh Chaudhary @ Santosh Kumar, S/o Nageshwar Chaudhary,
Resident of Village- Rohini Bhar, P.S.- Rajpur, District- Buxar (Bihar).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 304(B), 498(A), 323, 201 and 504/34 of the Indian Penal Code as well as Section 3/4 of the Dowry Prohibition Act.

Petitioner is husband of the victim girl. Marriage was solemnized in the year 2007 and alleged death for dowry was committed in the year 2010.

Submission of the petitioner is that the complainant and others had participated in the cremation of the dead body and the victim had died due to illness, which would be evident from the prescription of her treatment at Annexure-2. Moreover, there is no reasonable explanation for filing of the complaint case and



complaint case was filed in the year 2010 and police case has been registered in the year 2016. Petitioner is ready to cooperate with the investigation and trial of the case and there is no chance of absconding.

Learned counsel for the informant has opposed the prayer considering the seriousness of allegation.

Considering the entire facts and circumstances of the case specially the delay in lodging the FIR and doubtful nature of allegation, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 learned C.J.M., Bhabua (Kaimur)/Successor Court in connection with Durgawati P.S. Case No.100 of 2016/G.R.No.1022 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and subject to the further condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Arvind/-

(Birendra Kumar, J)

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