

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15369 of 2017

Arising Out of PS.Case No. -692 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Naveen Kumar Srivastava Son of Badri Narayan Prasad, Resident of Harendra Villa, Block -B, Quarter No.004, Road No.6D, Gardanibagh, P.O.- G.P.O., P.S.- Gardanibagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Awadhesh Kumar, Son of Late Viswanath Prasad, Resident of Saraswati Nagar, P.O.- Bakhat Prasrain, P.S.- Bettiah, Mofassil, West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Surya Nilambari, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 304(B) and 498(A) of the Indian Penal Code.

The prosecution case, in brief, is that on 29.01.2012, the informant's daughter was married with the petitioner. Thereafter she went to her Sasural. After some period the petitioner physically and mentally tortured her for demand of dowry in terms of Rs.3 lacs. In the meantime she became pregnant and due to lack of treatment she died on 11.07.2015.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The deceased is said to have died in course of giving birth to a child. Same is evident from Annexure-2, which is the death certificate issued by Kurji Holy Family Hospital, Patna. The cause of death is said to be due to Amniotic Fluid Embolism with Sepsicemic shock with Metabolic Acidosis. No external injury is said to have been found on the body of the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bettiah, West Champaran in connection with Bettiah (M) P.S. case No.692 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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