

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36434 of 2018

Arising Out of PS.Case No. -793 Year- 2016 Thana -BIHTA District- PATNA

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1. Dharmendra Singh son of Late Lalan Singh resident of village -
Jamunapur, P.S. - Bihta, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 304B/34 of the Indian Penal
Code.

Submission of the learned counsel for the
petitioner is that the alleged death for dowry took place after ten
years of marriage. Hence, presumption of dowry death is not
attracted against the petitioner, who is husband of the victim.
Moreover, there is no eyewitness of the occurrence. Investigation
of the case is already complete.

Finding substance in the submission aforesaid, let
the petitioner, above named, be released on bail on furnishing bail



bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bihta P.S. Case No.793 of 2016, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./-

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