

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12135 of 2018

Arising Out of PS. Case No.-115 Year-2017 Thana- BANGAON District- Saharsa

Prakash Kumar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. SRI AMITESH KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsels for the parties.

The petitioner being younger brother of the husband of the victim, is apprehending arrest in a case registered for the offences punishable under sections 304B, 302 and 201/34 of the IPC.

The prosecution case as per the written report of Arun Badhai submitted to the SHO, Bangaon Police Station is to the effect that the informant performed marriage of his daughter Ramrati Kumari with co-accused Vikash Kumar in 2016 but immediately after the marriage there was demand of colour television and Rupees Fifty Thousand cash and for non-fulfillment of the same, daughter of the informant was tortured. In the intervening night between 13/14.10.2017, the informant received an information that



due to non-fulfillment of dowry demands, his daughter has been killed by the in-law's family. On 14.10.2017 at 1.00 P.M. the informant went to the in-law's house of his daughter and found that the accused persons were not present and subsequently came to know that the dead body has been disposed of.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim. The petitioner was in Delhi at the relevant time and there is no specific accusation against him.

Learned APP submits that the petitioner is named in the FIR.

Considering the thrust of accusation against the husband of the victim coupled with the fact that investigation, prima facie, suggests that the petitioner was not present at the time of occurrence, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM Ist, Saharsa in connection with Bangaon P.S. Case No.115 of 2017 subject to the conditions laid down in Section



438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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