

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60488 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -BANIAPUR District- SARAN

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1. Anirudh Rai S/o Yadunath Rai, R/o Village- Rajouli, P.S.- Baniapur,
District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Baniapur P.S. Case No. 66 of 2017 registered for
the offence punishable under Sections 302 and 201/34 of the
Indian Penal Code.

The allegation against the accused persons is regarding
killing the sister of the informant for non fulfillment of the
demand of dowry.

The learned counsel for the petitioner submits that the
petitioner is innocent and the fact is that the deceased died on
account of the dehydration and loose motion after due treatment
by the Doctor and moreover, at the time of cremation, the family



members of the deceased girl were also present and the present case has been lodged subsequently with oblique motive. It is further submitted that the matter has been recently settled between the parties.

The learned A.P.P. for the State submits that there are two types of evidence, which have come during the course of investigation by the police, while one set of witnesses have supported the case of the prosecution, other set of witnesses have stated about the deceased being ill and the same culminating into the death of the deceased.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-11th, Saran at Chapra in connection with Baniapur P.S. Case No. 66 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner shall cooperate



with the investigation and he shall appear on each and every date before the learned court below on the date fixed and in case of two consecutive defaults, the present privilege of anticipatory bail shall stand cancelled automatically and he would be taken into custody forthwith. The prosecution is granted liberty to approach this Court for cancellation of bail in case, the petitioner does not cooperate with the investigation.

(Mohit Kumar Shah, J)

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