

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62888 of 2018

Arising Out of PS.Case No. -140 Year- 2017 Thana -RAJAON District- BANKA

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Bihari Das, Son of Late Bhutki Das, resident of Village- Sakhara, P.S. Rajaun, District- Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Pandey, Advocate.

For the Opposite Party : Mr. Sir Pramod Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-10-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 304(B) and 328 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is co-villager of the husband of the deceased. He has got no concern with the alleged



occurrence. The husband of the deceased is in custody. Other co-accused persons have been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 61605 of 2017 order dated 20.12.2017.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Banka, in connection with Rajoun P.S. Case No. 140/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

