

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23086 of 2018

Arising Out of PS. Case No.-101 Year-2017 Thana- RAJAPAKAR District- Vaishali

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Vinod Das S/o late Badri Das R/o Village Dayalpur, P.S. Rajapakar (Baranti O.P), Distt. Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 302, 498A and 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and thereafter committed murder of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.8.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has been made accused due to mistake of fact. From perusal of the statement of



the witnesses in paragraphs 32, 33, 34 and 35, it is evident that the deceased is alleged to have committed suicide. Hence, no offence under section 302 IPC is made out. Rest of the offence is triable by the Magistrate.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 101 of 2017.

(Sudhir Singh, J)

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