

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28242 of 2018

Arising Out of PS.Case No. -44 Year- 2017 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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1. Bhikhari Ray @ Krishna Kumar, son of Sri Ramnandan Ray, At Village Chapata, P.O. Mahthi Dharam Chand, P.S. Tisiauta, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Alok Kumar Alok

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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 is apprehending his arrest in a case registered under Sections 342, 326, 307 and 498A/34 of the Indian Penal Code, in which, later on, Section-302 of the Indian Penal Code was also added.

Allegation against the petitioner is of committing torture and assault upon the victim and thereafter, of committing murder due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in this case due to mistake of



fact. The witnesses in paragraphs-44, 45, 46, 47 & 48 of the case diary have not supported the allegation made in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned District and Sessions Judge, Vaishali at Hajipur in connection with Tisiauta P.S. Case No. 44 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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