

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42559 of 2018

Arising Out of PS. Case No.-446 Year-2017 Thana- NAUTAN District- West Champaran

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Ramu Thakur son of Nayan Thakur, resident of Village- Chhapkahia, P.S.-
Gobindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Godawari Devi wife of Late Ramanand Thakur, Resident of Village-
Mahuawa, Police Station- Nautan, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-09-2018 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Nautan P.S. Case NO.446 of 2017, disclosing offences under Sections 498A, 341, 323, 306, 504 and 506/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

From the case diary, it transpires that the informant himself has resiled from his version based on which the First Information Report had been lodged.

Learned counsel appearing on behalf of the petitioner has submitted that even if the allegation made in the First Information Report is treated to be correct, no offence under Section 306 is made out in the absence of any specific allegation of any abetment.

Considering the above submission, this application



is allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in Nautan P.S. Case NO. 446 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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