

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27194 of 2018

Arising Out of PS. Case No.-74 Year-2017 Thana- RAGHOPUR District- Vaishali

Vinod Rai, Son of Jagdish Rai, Resident of Village - Hematpur, P.S.
Raghopur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.

For the Opposite Party/s : Sri Damodar Prasad Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner being the elder brother of the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 304B and 201/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report submitted by Kailash Rai to the Station House Officer, Rustampur O.P. Police Station to the effect that the informant performed marriage of his daughter Runa Devi with Mantu Rai two years prior to lodging of the present case. Subsequently, the torture was inflicted for non-fulfillment of further dowry demand. On 02.08.2017 at 12.00 P.M., the informant received information through mobile that her daughter is dead. Hence, it



is alleged that the in-laws people killed the daughter of the informant and disposed of her dead body.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general. The thrust of accusation is against the husband of the victim. The petitioner claims to be separate from the husband of the victim. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the informant's daughter has been killed within two years of marriage. Hence, prima facie, the accusation under Section 304B is made out against the petitioner, being elder brother of the husband of the victim.

Considering the thrust of accusation against the husband of the victim, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali, in connection with



Raghopur (Rustampur O.P.) P.S. Case No.74 of 2017, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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