

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19770 of 2018

Arising Out of PS.Case No. -289 Year- 2006 Thana -LAKHISARAI District- LAKHISARAI

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Sushil Yadav @ Sushil Kumar S/o Shibu Yadav, R/o Village- Banshipur,
P.S. + District- Lakhisari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 05-04-2018

Heard learned counsels for the petitioner and learned

APP the State.

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

The accusation is of killing the daughter of the informant after five years of the marriage for non-fulfillment of the dowry demand and the disposing of the dead body.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim. It is further submitted that the husband of the victim and his father have been acquitted vide judgment dated 2nd day of



August, 2007 passed by learned Additional Sessions Judge, Fast Track Court-3, Lakhisarai in Sessions Trial No. 28 of 2007, as contained in Annexure-2.

Considering the fact that the FIR was registered in 2006, other accused persons were acquitted in 2007, the present anticipatory bail application has been registered on 03.04.2018 and petitioner is named in the FIR, this Court is not inclined to interfere.

However, in view of the fact that the main accused have been acquitted, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Lakhisarai P.S. Case No. 289 of 2006 pending in the Court of learned Chief Judicial Magistrate, Lakhisarai.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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