

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71377 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- KHAIRA District- Saran

Awadhesh Rai Son of Late Luxman Rai Resident of Village-Tatarpur, Police
Station-Khaira, Distt.-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Prasad Yadav
For the Opposite Party/s : Mr.Sri Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 302, 201 and 34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and assault upon the victim and thereafter caused her death due to non-fulfilment 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 falsely been implicated in the present case. There is no eye witness to the alleged occurrence nor there is substantive evidence to suggest his implication in



the present case. The petitioner is alleged to be husband of the deceased. The matter has already been compromised between the parties vide Annexure-3 to the present application.

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, 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -X, Saran, Chapra in connection with Khaira P.S. Case No. 139 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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