

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74164 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- AMDABAD District- Katihar

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Usman Khan, Son of Julum Khan, resident of village- Paharpur, Pachim Tola,
P.S. Amdabad, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2019 Heard learned counsels for the parties.

The petitioner being the father of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case as per the written report of Sheikh Sahamat submitted to the SHO, Amdabad is to the effect that informant's daughter, namely, Fekiya Khatoon performed love marriage with the son of the petitioner about two years prior to the lodging of the case but subsequently due to non-fulfillment of dowry demands,



torture was inflicted upon the informant's daughter. It is alleged that on 27.8.2018 the FIR named accused persons including the petitioner, brutally assaulted the informant's daughter with fists and slaps and lathi and drove her out of the matrimonial house. Thereafter, during the course of treatment, on 13.9.2018 the victim died.

It is submitted by learned counsel for the petitioner that the accusation of assault is omnibus and general against the entire in-laws family members. It is further submitted that accusation of brutal assault has been levelled but the post mortem report reflects no external injury on the victim and the cause of death has not been ascertained, whereas viscera has been preserved.

Learned APP submits that the petitioner is named in the FIR.

Considering the accusation of assault not being corroborated by the medical opinion, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Katihar in connection with Amdabad P.S. Case No.156 of



2018 subject to the conditions laid down in Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

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