

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57460 of 2019**

Arising Out of PS. Case No.-12 Year-2019 Thana- PARASBIGHA District- Jehanabad

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AMIT KUMAR @ BABLU KUMAR Son of Sri Nagendra Singh Resident of
Village - Rusulpur, P.S.- Paras Bigha, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Advocate
For the Opposite Party/s : Mr.Amit Kumar Rakesh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 11-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Paras Bigha P.S. Case No. 12 of 2019, disclosing offences punishable under Sections 304/34 of the Indian Penal Code.

The petitioner is the husband of the deceased, who is in custody since 29.05.2019.

Mr. Ramakant Sharma, learned Senior counsel appearing on behalf of the petitioner has submitted, referring to the contents of the FIR, that there is absolutely no allegation of any demand of dowry. He contends that in the absence of such allegation, no offence under Section 304B of the Indian Penal Code can be said to be made out. He has further submitted that once no case is made out under Section 304B of the Indian



Penal Code, in the absence of any specific allegation of an overt act against the petitioner, leading to death of the deceased, it would be unjust to allow the petitioner to remain in custody any further.

I find substance in the submission made on behalf of the petitioner. This application is allowed.

Let the petitioner above-named 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 Judicial Magistrate, First Class, Jehanabad in Paras Bigha P.S. Case No. 12 of 2019.

(Chakradhari Sharan Singh, J)

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