

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2485 of 2019

Arising Out of PS. Case No.-103 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

Radhey Shyam Soni, aged about 45 years, male, Son of Late Chhote Lal Soni,
Resident of Village - Shahpur, P.S.- Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App 120)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-01-2019 Heard learned counsels for the petitioner and the
State.

The petitioner, being the elder brother 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 fardbeyan of Biswanath
Shah, recorded by, Ravindra Kumar, S.I., of Ahiyapur Police
Station, on 12.02.2018 is to the effect that on 11.02.2018 at
about 11.45 P.M., the co-villager of the informant, Raja Kumar
conveyed him on mobile phone that he has received a telephonic
message from in-laws family member of his daughter, Babita
Kumari that his daughter Babita Kumari has consumed some
medicine, as a result of which, she has fallen ill and she has



been admitted in the hospital, whereupon the informant on 12.02.2018, at 3.58 P.M., reached to the hospital where the husband and mother-in-law of the victim conveyed him that she has consumed pesticide. Subsequently, the daughter of the informant was declared dead by the doctor. It is further alleged that the informant's daughter was married with Deepak Kumar on 7.5.2017, but subsequently, due to non-fulfillment of further dowry demand of a bullet motorcycle, the accused persons used to torture the victim. Since last 6-7 months, the victim had been residing at her parents' house, but on 29.01.2018, the husband of the victim took her to her matrimonial house and subsequently, the victim was killed.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the victim. The petitioner claims to be separate from the husband of the victim.

Learned APP submits that the petitioner is named in the FIR and the victim died within one year of the marriage.

Considering the thrust of accusation against the husband of the victim, coupled with the 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/surrender



before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, West, Muzaffarpur in connection with Kanti P.S. Case No. 103 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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