

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2481 of 2020**

Arising Out of PS. Case No.-131 Year-2018 Thana- BEERPUR District- Begusarai

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MANISH KUMAR, Son of Ajay Singh Resident of Village - Babhangama,
P.S.- Birpur, Distt - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Niwas Singh, Advocate.

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 19-06-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

Petitioner is elder brother of the husband of the victim of dowry death. Allegation against all the in-laws including the husband is that for non-fulfillment of dowry demand the victim was done to death.

Learned counsel for the petitioner submits that vague allegation of dowry demand is there without any specific



mention as to what item was being demanded. Moreover after disposal of the dead body to the knowledge of the informant, false allegation has been levelled just to pressurize the family members. Even the case diary would show that none of the witnesses stated specifically about the nature of demand rather hearsay evidence is there before the police.

Considering the lack of direct material against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Birpur P.S. Case No. 131 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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