

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36060 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

BHUDEV SINGH Son of Late Sunder Singh Resident of village - Isiyan,
P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 28-09-2021 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in Chainpur P.S. Case No. 320 of 2020 registered under Section 304B/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and caused death of the victim due to non-fulfillment 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 been falsely implicated in the present case. The independent witnesses namely, Praveen Kumar (page-6), Pramod Kumar Singh



(page-7), Jitendra Singh (page-8) and in paragraphs-42 & 43 of the case diary, have stated that the deceased is said to have committed suicide. No offence u/S 304B of the Indian Penal Code is made out. At best, an offence under Section-306 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 320 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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