

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26643 of 2022

Arising Out of PS. Case No.-373 Year-2021 Thana- BIBHUTIPUR District- Samastipur

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SURAJ KUMAR Son of Umesh Mahto Resident of Village - Alampur, P.S.-
Vibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bibhutipur P.S. Case no. 373 of 2021 instituted for the offence under Sections 304B/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his family members had tortured in various ways to the sister of the informant due to non-fulfillment dowry demand and ultimately they killed her.

Learned counsel appearing on behalf of the petitioners has submitted that petitioner is brother-in-law of the deceased and has been falsely implicated in this case. He has have never demanded any thing from the deceased. He has no concern with



the daily activity of the deceased and her husband . He is living separately. The sole responsibility to take care of wife is upon husband and not against his family members. Husband of the deceased has already been granted regular bail. It is mentioned in para 11 of the petition that after prevailing good sense, matter has been compromised between the parties.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Vibhutipur P.S. Case no. 373 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II Rosera, Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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