

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39369 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- KOPA District- Saran

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BINAY SINGH KUSHWAHA @ BINAY KUMAR KUSHWAHA S/O
BACHCHA SINGH KUSHWAHA @ BACHCHA LAL SINGH R/O
VILLAGE/MOHALLAH-ANWAL KE TOLA, P.S-KOPA, DISTRICT-
SARAN AT CHAPRA (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office, within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 304(B), 201, 34 of the IPC.

Allegedly, the case of the prosecution is that the F.I.R. named accused persons killed the grand daughter of the informant and thrown her body on the Railway line, on account of non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. Petitioner is the brother-in-law of the deceased and was living separately from his brother and the deceased. There is no specific overt act against him. The allegations are general and omnibus in nature. It is submitted by learned counsel for the petitioner that the husband of the deceased is already in custody since 21.02.2022. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation upon the petitioner and the husband of the deceased is already in custody, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kopa P.S. Case No.215 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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