

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9846 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

RAJU MUSAHAR @ RAJU MUSHAR Son of Subedar Musahar Resident of
Village- Akhlaspur Takiya (Pokhara), P.S.- Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-05-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with Bhabua P.S. Case no. 7 of 2022 registered under sections 304B, 302 and 498A of the Indian Penal Code.

As per the prosecution case, the sister of the informant who was married to the brother of the petitioner was tortured by the accused persons including the petitioner herein for nonfulfilment of demand of dowry of Rs.15,000/-. She was ultimately done to death.

Learned counsel for the petitioner submits that the petitioner happens to be the *devar* (husband's brother) of the deceased. The allegations are general and omnibus in nature. The petitioner is in custody since 25.3.2022 and has no criminal



antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the FIR being general and omnibus in nature, the petitioner being *dewar* (husband's younger brother) of the deceased, having remained in custody for more than 1 year since 25.3.2022 and chargesheet having been submitted under sections 498A and 302/34 of the Indian Penal Code and not under section 304B of the Indian Penal Code, the Court directs the petitioner to be enlarged on bail in connection with Bhabua P.S. Case no. 07 of 2022 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Session Judge, Kaimur at Bhabua.

(Partha Sarthy, J)

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