

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39662 of 2023

Arising Out of PS. Case No.-33 Year-2018 Thana- SIWAN CITY District- Siwan

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MERAJ MIYAN S/O LATE JABBAR MIYAN R/O Mohalla- Sabun Toli,
Badi Masjid, P.S- Town, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramadhar Shekhar, Adv.

For the Opposite Party/s : Mr.Arun Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

3. Allegedly, all the accused persons including this petitioner are said to have committed murder of the informant's daughter due to non-fulfillment of demand of motorcycle.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner is elder brother of co-accused Irshad Ali, who is husband of the deceased. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is



not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the prayer for bail of co-accused Irshad Ali, who is husband of the deceased has been rejected by a Co-ordinate Bench of this Court and considering the same, petitioner does not deserve the anticipatory bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 Siwan Town P.S. Case No. 33 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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