

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43773 of 2023

Arising Out of PS. Case No.-344 Year-2014 Thana- SONEPUR District- Saran

Kanhaiya Patel S/O- Parbhu Patel Village- Narayanpur Ps- Taraiya Dist-
Saran At Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Narendra Kumar, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Sonepur P.S. Case No. 344 of 2014 dated 05.08.2014, instituted
for the offence punishable under Sections 304(B)/34 of the
Indian Penal Code.

3. The case of prosecution, in short, is that the
informant's daughter's marriage was solemnized on 22.06.2010
with brother-in-law of the petitioner. It is alleged that her
in-laws started to harass her for non-fulfillment of dowry
demand and later killed her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in this
case. It is submitted that there is a specific allegation of demand



of dowry against the husband of the deceased. Petitioner is the husband of the '*Nanad*' of the deceased. It is further submitted that the petitioner is residing separately from his in-laws' house. Further, it is submitted that husband of the deceased, namely, Sanjay Patel @ Sanjay Kumar Patel himself surrendered before the learned Court below and now his is on default bail. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sonapur P.S. Case No. 344 of 2014, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Saran at Chapra, subject to condition as laid down under Section 438(2) of the Cr.P.C.

Shanu/-

(Khatim Reza, J)

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