

Md. Parvez Vs. the State of Jharkhand

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Court : Jharkhand

Decided On : May-26-2011

Judge : H. C. Mishra, J.

Acts : Indian Penal Code (IPC) - Sections 304(B)/34; Code of Criminal Procedure (CrPC) - Section 438(2)

Appeal No. : A. B. A. No. 1627 of 2011

Appellant : Md. Parvez

Respondent : The State of Jharkhand

Judgement :

1. Heard learned counsel for the petitioner and learned A. P. P. for the State. The petitioner is apprehending his arrest in connection with Lower Bazaar P. S. Case No. 157 of 2010 for the offences alleged under Sections 304(B) / 34 of the I.P.C.
2. There was allegation against the husband and in-laws of the daughter of the informant for committing the dowry death of Ghazala Masood who was the daughter of the informant - Masud Alam.
3. Learned counsel for the petitioner submits that petitioner is the brother-in-law of the deceased and all of the accused persons i.e., mother-in-law, father-in-law and the husband faced trial in Sessions Trial Case No. 602 of 2010 before the Additional Judicial Commissioner, F. T. C. VIII, Ranchi and by the judgment dated

28.2.2011, all the co-accused persons have been acquitted after trial.

4. The learned counsel for the petitioner accordingly, prayed for anticipatory bail. In the facts and circumstances aforesaid, particularly in view of the fact that all the co-accused persons have been acquitted by the trial court, I am inclined to grant anticipatory bail to the petitioner.

5. Accordingly, it is directed that in the event of arrest or surrender of the petitioner - Md. Parvez, he shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, to the satisfaction of the Chief Judicial Magistrate, Ranchi in connection with Lower Bazaar P. S. Case No. 157 of 2010 corresponding to G. R. No. 3592 of 2010 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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