

**Binay Kumar Vs. the State of Bihar**

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**SooperKanoon Citation :** [sooperkanoon.com/974414](http://sooperkanoon.com/974414)

**Court :** Patna

**Decided On :** May-24-2012

**Appellant :** Binay Kumar

**Respondent :** The State of Bihar

**Judgement :**

Patna High Court Cr.Misc. No.2256 of 2012 (2) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.2256 of 2012  
===== Binay Kumar .... Petitioner. Versus The State Of Bihar .... Opposite Party.  
===== CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH ORAL ORDER (Per: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

24. 01-2012 Heard learned counsels for the petitioner and the State. The petitioner being the brother of husband is apprehending his arrest in a case registered under Section 304(B)/34 of the Indian Penal Code. There is general accusation of demand of dowry and torture against the entire in-laws family including the petitioner. The specific accusation is against the husband and this petitioner and considering the same others have been granted bail. Considering the fact that specific accusation of taking the victim from parents house two days prior to occurrence by husband and this petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. However, let the learned court below Patna High Court Cr.Misc. No.2256 of 2012 (2) dt.24-01-2012 consider the regular bail of the

petitioner and try to dispose off the same preferably on the same day if the petitioner surrenders and prays for regular bail within a period of six weeks from the date of receipt/production of copy of this order keeping in view that the thrust of accusation is against the husband in connection with Chandauti P.S. Case No. 289 of 2010 pending in the court of the learned C.J.M., Gaya. With this observation, this application is disposed off. Let the order be faxed to the learned court below at the cost of the petitioner. (Dinesh Kumar Singh, J.) U.K./-

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