

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31295 of 2015

Arising Out of PS.Case No. -308 Year- 2014 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Chandan Kumar @ Chandan Kumar Singh Son of Prahalad Singh
Resident of Village - Fatehli, Police Station - Deep Nagar, District -
Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 15-10-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and
according to prosecution case, the marriage of the deceased had
taken place in the year, 2011 and she died in the year, 2014 in
other than normal circumstances and furthermore, the informant
specifically, stated that the deceased was subjected to cruelty and
killed by petitioner and his other family members due to non-
fulfillment of illegal dowry demand but even then, police not only
registered the case under Sections-302, 201/34 of the Indian Penal
Code but also submitted charge sheet under the aforesaid sections.

Regard being had to the facts and circumstances as

well as submission of the parties, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Deepnagar P.S. Case No. 308 of 2014 pending in the court of learned Sub Divisional Judicial Magistrate, Nalanda at Bihar Sharif stands rejected.

Let a copy of this order be sent to the Superintendent of Police, Bihar Sharif, Nalanda with direction to him to look into the matter and to find out as to under what circumstances, the concerned officer-in-charge lodged the case under Section-302 of the Indian Penal Code when almost all the ingredients of Section-304B of the Indian Penal Code were present in the first information report.

(Hemant Kumar Srivastava, J)

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