

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.26681 of 2014

Arising Out of PS.Case No. -253 Year- 2013 Thana -PAHARPUR District-  
EASTCHAMPARAN(MOTIHARI)

1. Pradip Kumar Sah @ Pradeep Kumar Sah @ Pradeep Sah Son of  
Khedan Sah resident of village - Saraiya Kothargadh, P.S. Paharpur,  
District - East Champaran

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

with

Criminal Miscellaneous No.26940 of 2014

Arising Out of PS.Case No. -253 Year- 2013 Thana -PAHARPUR District-  
EASTCHAMPARAN(MOTIHARI)

1. Suganti Devi w/o Khedan Sah  
2. Khedan Sah son of Late Bhikhari Sah Both are residents of village -  
Saraiya Kotargadh P.S. Paharpur, District - East Champaran

.... .... Petitioners

Versus

1. The State of Bihar

.... .... Opposite Party

Appearance :

(In Cr.Misc. No.26681 of 2014)

For the Petitioner : Mr. Sunil Kumar No.Iii

For the Opposite Party : Mr. Anil Kumar(App)

(In Cr.Misc. No.26940 of 2014)

For the Petitioners : Mr. Sunil Kumar No.Iii

For the Opposite Party : Mr. Binod Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH  
ORAL ORDER

4 03-02-2015 Petitioners being husband and parents of the  
husband of the victim are languishing in custody since  
22.11.2013, 21.12.2013 in a case registered for the offences  
punishable under Sections 304B, 34 of the I.P.C.

Accusation is killing the sister of the  
informant after two years of marriage for non-fulfilment of

dowry demand. The informant has claimed that dead body packed in a gunny bag of his sister was recovered from an orchard. The informant then brought the dead body to the door of the petitioners.

It is submitted by learned counsel for the petitioners that the victim consumed poison and she was taken to the hospital but she could not be saved. The police has not seized any gunny bag in which the dead body was alleged to have been packed. This fact has not been controverted by learned A.P.P after going through the case diary which reflects the callous manner in which the investigation is being carried. The postmortem reflects no injury nor does it suggest that dead body was packed in gunny bag.

Considering the aforesaid facts, let the petitioners, namely Suganti Devi and Khedan Sah, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1<sup>st</sup> Class, Sadar, Motihari in connection with Paharpur P.S. Case No. 253 of 2013.

Since petitioner Pradip Kumar Sah @ Pradeep Kumar Sah @ Pradeep Sah is husband of the victim and the victim died within two years of marriage, this Court is not inclined to grant bail to the petitioner at present.

Accordingly the application with regard to

petitioner Pradip Kumar Sah @ Pradeep Kumar Sah @ Pradeep Sah is dismissed in connection with Paharpur P.S. Case No. 253 of 2013, pending in the Court of learned Judicial Magistrate, 1<sup>st</sup> Class, Sadar, Motihari.

**(Dinesh Kumar Singh, J)**

Shageer/-

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