

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39431 of 2015

Arising Out of PS.Case No. -87 Year- 2014 Thana -CHANDRADEEP District- JAMUI

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Md. Kalam Malick, son of Late Salam, resident of village- Tellar, Police Station- Chandradip in the district of Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Gopesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-10-2015 Heard learned counsel for the petitioner, informant and the State.

The petitioner seeks bail in a case instituted under Section 302/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case is that daughter of informant was married to petitioner nine years ago. On 14.12.2014 informant was informed that her daughter was set on fire by the petitioner. It is also alleged that petitioner demanded Rs.1 lac from the informant for treatment of her daughter. Informant failed to give money to the petitioner and later on, informant came to know that his daughter died.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 24.6.2015. Chargesheet has been submitted against the petitioner. There is no allegation of tampering of evidence against the petitioner. The alleged occurrence is said to have taken place after nine years of

marriage. From perusal of paragraph-22 of the case diary it would appear that daughter of the deceased was examined where she has categorically stated that her mother had sustained burn injury in course of cooking and thereafter she was treated and subsequently in course of treatment, she succumbed to the injury. Similar statements have come in paragraph- 19, 20 and 21 of the case diary.

On behalf of the State and informant, it is submitted that the petitioner is named in the F.I.R. and is husband of the deceased.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Lalan Kumar, learned Judicial Magistrate, Ist Class, Jamui, in connection with Chandradip P.S. Case no. 87 of 2014.

(Sudhir Singh, J)

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