

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55713 of 2015**

Arising Out of PS.Case No. -48 Year- 2015 Thana -PATAHI District-  
EASTCHAMPARAN(MOTIHARI)

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1. Sailendra Sah S/o Sunar Sah Resident of village- Parsauni Kapoor, P.S.-  
Patahi, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      08-12-2015                                      Petitioner being husband of the victim is languishing in custody since 07.09.2015 in a case registered for the offences punishable under Sections 341, 323, 498A, 304(B), 201/34 of the Indian Penal Code.

The accusation is killing the daughter of the informant after about seven years of marriage for non-fulfilment of dowry demand and disposing of the dead body.

It is submitted by learned counsel for the petitioner that as per the own admission of the informant the marriage was performed about seven years prior to the death. Hence, the case does not come within the purview of Section 304(B) I.P.C. There is nothing on record to suggest that there is any demand of dowry. The victim has three children who are residing with the petitioner.

Considering the admission of the informant

that the marriage was performed seven years prior to the death of the victim and investigation being concluded, let the petitioner, above named, 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 learned Sub-Divisional Judicial Magistrate, Shikarahana at Motihari, East Champaran in connection with Patahi P.S. Case No. 48 of 2015.

**(Dinesh Kumar Singh, J)**

Shageer/-

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