

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22919 of 2015

Arising Out of PS.Case No. -358 Year- 2014 Thana -KANKARBAGH District- PATNA

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Suraj Kumar aged about 23 Years son of Sri Sunil Prasad Resident of Mohalla Saristabad, Bishunpur Pakri, Near Radhey Kishore Mandir, Police Station- Beur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 01-10-2015 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is accused in connection with Kankarbagh P.S. Case No.358 of 2014 registered under sections 304(B) and 328/34 of the I.P.C. pending in the Court of Judicial Magistrate, Ist Class, Patna.

The accusation is that petitioner, being the husband of Babli Devi, daughter of the informant, used to torture for demand of dowry and also give pressure upon her to execute the sale deed in respect to the house. On 21.08.2014, the petitioner came at Sasural and took meal with his wife, Babli Devi, daughter of the informant and administered poison in her food, as a result of which, she died.

Learned counsel appearing on behalf of the petitioner

submits that petitioner, who happens to be husband of the deceased, has falsely been implicated in this case. It is also submitted that petitioner is in custody since 23.08.2014.

On the other hand, learned counsel for the State opposes the prayer of the petitioner for bail with submission that admittedly, the deceased has died within 7 years of her marriage and in the Viscera Report, Aluminium Phosphide is detected, which is known as Celphos.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J.)

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