

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41924 of 2014

Arising Out of PS.Case No. -204 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Nishant Shankar Singh @ Pinku Singh Son of Awadhesh Singh R/o
Village Dayanagar, PS. Belsand, district Sitamarhi at present R/o
Shantinagar Dumra Road, PS. sitamarhi, District sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 06-02-2015

Heard both sides.

The petitioner seeks bail in Sitamarhi P.S. Case
No. 204 of 2014 registered under section 304(B) and other allied
sections of the Indian Penal Code.

The informant father of the deceased Soni
Kumari alleged that his daughter was married with the petitioner,
but his daughter was killed by the accused persons including the
petitioner.

Learned counsel for the petitioner submits that
that petitioner is the husband of the deceased. The petitioner
never demanded any dowry. It is submitted that Soni Kumar was
suffering from ailment. She was treated in Heart Hospital Patna



and she was under constant treat of Dr. Captain Ram Pravesh Singh J.J. Hospital Sursand. The informant and his family members participated in the crimination of the deceased Soni Kumari. The photographs are also annexed. Soni died on 30.12.2013 but the informant filed the case on 14.02.2014 after more than one and half months of the occurrence. The informant demanded ornaments and other belongings of the deceased daughter. All ornaments were returned and an agreement was also executed on a non judicial stamp which is annexure-4. It is further submitted that even during the course of investigation the witnesses residing in the vicinity in paragraph 16 and onwards have stated that Soni Kumari died due to her ailment. The Dr. Captain Rampravesh under whom the deceased was under treatment in paragraph 52 of the case diary also disclosed that she died due to her ailment.

The learned Additional Public Prosecutor opposed the prayer for bail but submitted that during the course of investigation witnesses have stated that Soni Kumari died of her ailment. It appears that the petitioner is the husband of the deceased and informant made allegation against the petitioner that he subject his wife with cruelty and killed her. But it appears that the victim was suffering from heart ailment. She was under

treatment of Dr. R.P. Singh who has also stated that the victim was under his treatment. The photographs show that the father of the victim also participated in the crimination and the petitioner is in jail since 15.07.2014.

Considering the aforesaid facts, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 204 of 2014.

(Prabhat Kumar Jha, J)

M.Rahman/-

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