

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45341 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -NAWINAGAR District- AURANGABAD

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Rajendra Prasad Son of Jugal Kishore Sao resident of village - Shanichari
Bazar Navinagar, P.O. and Police Station - Navinagar, District -
Aurangabad (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamendra Pd. Singh, Advocate.

For the Opposite Party : Mr. Md.Arif(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-10-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

The father of the deceased alleged that his daughter Sushila Devi was married with the petitioner 12 years ago. It is further alleged that her husband and other in-laws were subjecting her for physical and mental torture due to non-fulfillment of demand of dowry. The daughter of the informant has come to the house of the informant while she was suffering from jaundice. She fully recovered, but on 03.05.2015, the informant got information that his daughter died. The informant alleged that the petitioner and other accused persons killed Sushila Devi.

It is submitted that the deceased was never tortured by the petitioner or her any of the in-laws. Sushila Devi was suffering from different ailments. Her spleen was extraordinary enlarged. She was under treatment at B.H.U. Varanasi. The post-mortem report also shows that the deceased had got no external injuries except one bruise on leg. Her spleen was enlarged and there was laceration. The victim died due to shock and hemorrhage.

Considering the facts aforesaid and the fact that, of course, the petitioner is husband but the marriage was solemnized 12 years ago and it appears that the deceased was under treatment of different doctors at B.H.U. Varanasi and other specialized doctors for her diseases, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Aurangabad in Nabinagar P.S. Case No. 49 of 2015.

(Prabhat Kumar Jha, J.)

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