

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46413 of 2015**

Arising Out of PS.Case No. -1306 Year- 2014 Thana -SASARAM NAGAR District- SASARAM  
(ROHTAS)

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1. Pintu Kumar son of Ram Nath Singh, resident of village- Chandrabanshi  
Nagar, Sasaram, P.S.- Sasaram District- Rohtas at Sasaram

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Rameshwar Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

4 10-12-2015

Heard the learned counsel for the petitioner as well as  
the learned A.P.P.

The petitioner seeks bail in a case for the offence  
punishable under section 304 (B)/34 of the I.P.C

Bandana Kumari, the sister of the informant, was  
married with the petitioner on 26.11.2014 and due to non  
fulfillment of demand of Rs. 1,00,000/- and motorcycle by way of  
dowry she was being tortured and assaulted and ultimately she  
was done to death by the petitioner and other co-accused.

Submission is of false implication and that there was  
cordial relation between the petitioner and his wife. The wife of  
the petitioner died natural death. There is no eye witness of the

occurrence. During investigation it has come that all other co-accused were not present in the house and only the petitioner has gone to the house for bringing meal. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that the doctor who has conducted the postmortem examination has found the cause of death due to Asphyxia caused by compression over the neck and ligature mark on the neck has been found postmortem in nature.

In the facts and circumstances as stated above, considering that the medical evidence also corroborates the prosecution version and the death has been caused in presence of the petitioner inside the house and as such this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sasaram (Model) P.S. Case No. 1306 of 2014 pending in the court of C.J.M. Rohtas at Sasaram.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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