

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22012 of 2015

Arising Out of PS.Case No. -130 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Kishore Sah S/o Shivjee Sah Resident of Village Bara Jairam, P.S.
Chiraiya, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 21-09-2015 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 petitioner is the husband of the deceased.

The brother of the deceased made allegation that his sister was married with the petitioner four years ago and she was done to death due to non-fulfillment of demand of dowry. Informant after having received the information went to the matrimonial house of his sister. He found the dead-body of his sister and the accused persons were not present.

It is submitted that the informant in his further statement disclosed that the petitioner was not present in his house

and he instructed his family members to kill his wife. It is further submitted that the marriage was solemnized in the year 2007 and no offence under Section 304(B) of the Indian Penal Code is made out.

It appears that the informant made allegation that the petitioner's mother was demanding additional dowry and they were torturing the deceased. The deceased was strangulated to death within four years of her marriage.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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