

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24328 of 2016

Arising Out of PS.Case No. -173 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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1. Kamta Prasad Yadav @ Kamta Prasad Son of late Kailu Yadav Resident
of Village- Derhdhara, Police Station Rahui, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner is an accused in connection with
Rahui P.S.Case No.173 of 2014 registered under Sections 302,
328/34 of the Indian Penal Code pending in the court of learned
C.J.M., Nalanda at Biahrrsharif.

The allegation against the petitioner and other accused
persons is of committing the murder of daughter of the informant
due to non fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that the
petitioner is in custody since 01.04.2016.The petitioner has got no
criminal antecedent. Charge sheet has been submitted in this case.
There is no allegation of tampering of the witnesses against the
petitioner. The alleged occurrence has taken place after 8-9 years

of the marriage. As she had no issue, in depression she had taken poison and committed suicide. From perusal of paras 25 and 26 of the case diary it is evident the deceased was never tortured by the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the FIR. Forensic Science Laboratory's report indicates that poison was found in her body. The petitioner is the husband.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage and same is rejected.

(Sudhir Singh, J)

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