

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8315 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -WARSALIGANJ District- NAWADA

1. Manoj Yadav S/o Late Ram Swaroop Yadav Resident of village -
Murlachak, P.S. - Warsaliganj, District - Nawadah.

..... Petitioner/s
Versus

1. The State of Bihar.

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. A.Dayal (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and the
State.

Petitioner is languishing in custody since
10.01.2016 in a case registered for the offences punishable
under Sections 304B, 498A of the Indian Penal Code.

The prosecution case is of killing the sister of the
informant.

It is submitted by the learned counsel for the
petitioner that victim died after 15 years of marriage, which
is admitted by the informant in the First Information
Report. In spite of that the First Information Report was
registered under Section 304B of the Indian Penal Code,

which suggests the mechanical approach of the police. The First Information Report does not contain any accusation of demand of dowry, not the case diary suggest as such.

Learned A.P.P. after going through the case diary suggests that Investigating Officer has not taken any action to verify the actual date of marriage of the Informant. Although, most of the witnesses suggests that the victim was married 15 years prior to her death, which suggests the mechanical and casual manner. The Investigating Officer has investigated the case and Supervising Officer has supervised the case. The charge-sheet has also been submitted under Section 304B of the Indian Penal Code.

Let, the Inspector General of Police, of the concerned zone conduct an enquiry and take needful action against the Investigating Officer and Supervising Officer and if it is found that without verifying the date of marriage of the informant, mechanically charge-sheet has been submitted under Section 304B of the Indian Penal Code, then both Investigation Officer and Supervising Officer may be debarred from any investigation of serious offences in future.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional

Judicial Magistrate, Nawadah in connection with Warsaliganj
P.S. Case No. 116 of 2015.



(Dinesh Kumar Singh, J)