

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9416 of 2016

Arising Out of PS.Case No. -326 Year- 2015 Thana -WAJIRGANJ District- GAYA

1. Praveen Kumar @ Pappu son of Ishwari Prasad, Resident of Bhangosa, P.S. Wazirganj, District- Gaya.

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gouranga Chatterjee

For the Opposite Party/s : Mr. Gulnar Begum (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody since 28.07.2015 in connection with Wazirganj P.S.Case No. 326/2015 registered for offences punishable under section 304(B)/34 of the Indian Penal Code.

The prosecution case as per the statement of one Bhola Prasad, is that Reena Kumari, his daughter was married to the petitioner in 2011. In the marriage, the informant had given Rs. 3, 50,000/-, ornaments, utensils and gas cylinder but the petitioner and family members started torturing Reena for dowry. On 22.07.2015 the informant was informed on mobile phone that Reena got burnt while lighting lantern and taken to Magadh Medical College, Gaya. The informant and family members reached the hospital and found his daughter burnt and the victim stated that accused persons have burnt her after sprinkling

kerosene oil and victim was referred to P.M.C.H. where she received treatment and after that she was taken to Sainath Hospital (Nawadah) on 26.07.2015 and died on 28.07.2015.

It has been submitted by the learned counsel for the petitioner that he is the husband of the victim and is innocent having no criminal antecedent and has been falsely implicated. He had been taking her to various hospitals after her burn for her treatment. It has been further contended that the victim received burn injury on 22.07.2015 and F.I.R. was registered after inordinate delay.

However, learned A.P.P. for the State opposes the prayer for bail stating that the petitioner is named in the F.I.R.

Considering the period of custody of the petitioner and in the facts and circumstances, the above named petitioner, Praveen Kumar is directed to 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 Shri Jigar Shah, 1st Class Judicial Magistrate, Gaya in connection with Wazirganj P.S.Case No. 326/2015.

(Nilu Agrawal, J)

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