

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55242 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -GOPALPUR District- BHAGALPUR

Mithlesh Kumar Sah @ Mithlesh Sah, Son of Ramanand Sah, R/o village Pokharia, P.S. Gopalpur, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Tribhuwan Narayan

For the Opposite Party : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Gopalpur (Rangra) P.S. Case No. 107 of 2015, registered under Sections 498(A) and 304(B) of the Indian Penal Code.

The prosecution case is that the marriage of daughter of informant, namely, Radha Devi was performed with petitioner in the year 2011 and due to the wedlock, there were two children. After the marriage, the petitioner started demand of dowry. On 30.05.2015, the daughter of the informant was on fasting since 24 hours of “Ekadashi”. Thereafter, daughter of the informant took water for breaking the said fasting and in that course, she died. The informant raised suspicion about administering poison to his

daughter by this petitioner.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the marriage of the petitioner took place in the year 2011 and out of their wedlock, one son and one daughter have been born. The wife of the petitioner died due to sudden pain, after braking the fasting of “Ekadashi”, but informant, due to some ulterior motive, has lodged the present case with false allegation of demand of dowry and administering of poison by this petitioner. The petitioner is in custody since 27.07.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Naugachiya in connection with Gopalpur (Rangara) P.S. Case No. 107 of 2015.

(Rajendra Kumar Mishra, J)

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