

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 25406 of 2016

Arising out of P.S. Case No. -130 Year- 2015 Thana -
AMNAUR District- SARAN

=====

Sant Kumar Giri S/o Late Jodhan Giri Resident, of Village-
Gosakhap, P.S.- Amnour, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nirmala Kuar W/o Late Mahanth Narayan Giri Resident of
Village- Balua, P.S.- Mashrakh, District- Chapra, Saran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Adv.

For the Opposite Party/s: Sri Mustaque Alam, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

05. 10.08.2016

Heard learned counsel for the Petitioner, learned
counsel for the Informant and learned counsel for the
State.

The Petitioner is languishing in custody since
02.04.2016 in connection with Amnour P.S. Case No. 130
of 2015 pending in the Court of Judicial Magistrate, 1st
Class, Saran at Chapra for the offences instituted under
Section 304(B) and 201/34 of the Indian Penal Code.

The prosecution case, in brief is that the
Informant who is the mother of the deceased has alleged
that her daughter was married with the petitioner
according to Hindu rites and rituals and thereafter she
went to her matrimonial home but her in-laws started
torturing her and demanding a motorcycle and one lac
rupee in cash. On account of non-fulfiment of the same,
they assaulted and abused her daughter as also after

committing the murder of her daughter disposed of the dead body.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.04.2016. Charge-sheet has been submitted in the case. The petitioner has no criminal antecedents. There is no allegation of tampering of witnesses against the petitioner. The petitioner has been falsely implicated in the present case. Witnesses in Paragraphs 19 and 20 of the case diary stated that the deceased had consumed poison due to which she died. It is at best a case under Section 306 IPC.

On behalf of the State and the Informant, it has been submitted that the petitioner is named in the FIR and has actively participated in the alleged occurrence.

Considering the aforesaid facts and circumstances of the case, let the Petitioner, above named be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amrendra Prasad, Judicial Magistrate, 1st Class, Saran at Chapra or his successor in connection with Amnour P.S. Case No. 130 of 2015.

(Sudhir Singh, J.)

Vikash/-

U		T	
---	--	---	--