

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43340 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

Rakesh Kumar son of Shyam Nandan Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

4 25-11-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner happens to be husband of the deceased and is
languishing in jail custody since 18.04.2016 in a case registered
under section 304B/34 of the Indian Penal Code.

It is curious enough that neither the date of marriage
nor the year of marriage of the deceased was disclosed in the
fardbeyan by the informant but even then the concerned officer-in-
charge registered the case under section 304B/34 of the Indian
Penal Code. Moreover, in course of investigation, it came to light
that the marriage of the deceased had taken place in the month of
November 2014 and she died in other than normal circumstances
on 30.01.2016. The informant has admitted in his written report
that when he reached the house of the petitioner on the basis of

call made by elder brother of the petitioner, he found that the room of the deceased was locked from inside and anyhow the glasses of the door of the room were broken and then the informant noticed that the deceased was hanging from ceiling. The investigation against the petitioner has already been completed but except ligature mark, no injury was found on the person of the deceased. Moreover, there is nothing against the petitioner in fardbeyan of the informant that he put the deceased into cruelty due to non-fulfillment of dowry demand.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S.Case No. 88 of 2016.

(Hemant Kumar Srivastava, J)

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