

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29044 of 2016

Arising Out of PS.Case No. -98 Year- 2016 Thana -BANKA District- BANKA

Santosh Roy Son of Rajendra Rai, Resident of Village - Karar, P.S. + District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 304(B)/34 of the I.P.C. and Sections 3 of the Dowry Prohibition Act.

The prosecution story, in brief, is that the daughter of the informant Rabri Devi was married with the petitioner before one year and after marriage went to her matrimonial home and her daughter informed her on Mobile that her husband and in-laws used to demand one motorcycle and one Mobile in dowry and due to non-fulfilment of dowry they will keep her property and ready to kill her. The informant went to her matrimonial home and pacified the matter and then returned back. On the next day the villager Bachchu Rai informed her on Mobile that her daughter has been killed by pressing her neck. Thereafter she went there and found her daughter dead on a cot and there was no one in the

house.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.4.2016 and the charge sheet has been submitted in the present case. The petitioner has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has relied upon the statements of the witnesses made in paragraphs 12, 13, 14, 15, 16, 17, 18 and 19 of the case diary. It has been stated by the witnesses that at the time of occurrence no one was there at home and the deceased committed suicide. It is further submitted that the place of occurrence has not been examined by the Investigating Officer nor there is any reference to it in the case diary.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 C.J.M., Banka in connection with Banka P.S. case No.98 of 2016.

(Sudhir Singh, J)

Narendra/-

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