

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41018 of 2016

Arising Out of PS.Case No. -119 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

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Manoj Sharma son of Kanhai Sharma @ Kanhai Thakur resident of Village-
Jagarnathpur Dokara, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 28-10-2016 Heard Sri Aditya Narayan Singh, learned counsel who

was assisted by Sri Gajendra Kumar Singh, learned counsel for
the petitioner and Sri Madan Kumar, learned Additional Public
Prosecutor.

The petitioner, husband of the deceased, has prayed for
grant of bail in Saraiya P.S. Case No. 119 of 2015 registered for
the offence under section 304B and 201 / 34 of the Indian Penal
Code.

It was submitted by learned counsel for the petitioner
that in view of post -mortem examination report , copy of same
has been brought on record as Annexure- 2 to the present petition
it was a case of suicide. He submits that as per principle laid
down in Moody's jurisprudence the injuries found on the person

of the deceased show that it was a case of suicide. However, learned Additional Public Prosecutor submits that in the F.I.R. there is specific accusation that within one year from the date of marriage the grand-daughter of the informant was done to death . In the F.I.R. there is allegation that this petitioner being husband was demanding further dowry and torturing the grand-daughter of the informant and dead body was subsequently recovered from a river and there was mark on the neck of the deceased.

Considering the allegation I do not find any ground to grant bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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