

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16054 of 2016

Arising Out of PS.Case No. -167 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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Pradeep Singh, son of Late Suraj Deo Singh, resident of Village- Khairi,
Police Station- Mufassil, Dist- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav, Advocate

For the Opposite Party/s : Mr. A.Haque Sahara, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is languishing in custody since 02.09.2015 in connection with Muffasil P.S. Case No. 167 of 2015 for the offences alleged under Sections 304B and 201/34 of the Indian Penal Code.

The prosecution case is that the deceased Seema Kumari was married with the petitioner in the year 2011 and after the said marriage, the petitioner and his brothers Binod Singh, Pramod Singh, Abhay Singh and Nirbhay Singh started demanding Rs. 2,00,000/- as further dowry and for that she was subjected to cruelty by them, which was informed by the deceased to the informant. It is further alleged that the deceased gave birth



to a male child, who is aged about three years and the deceased has informed the informant that she will be killed any time for their dowry demand and on 27.07.2015 at 5.00 P.M., the informant received information on his mobile from some unknown person that Seema Kumari has died. On this information, the informant went at in-laws' house of the deceased where from the family members, he came to know that her dead body has been destroyed and it is alleged that the petitioner along with his other family members has caused the death of the deceased.

It has been submitted by the learned counsel for the petitioner that he is innocent and being the husband, he has been falsely implicated in the aforesaid case. He submits that the uncle of the informant has himself stated in paragraph 43 of the case diary that the victim used to fight with the petitioner as to why he had good relations with his brothers after; there was partition in the family in the year 2012. He submits that the said witness has also stated that there was no demand of dowry. He further submits that the Police also in the supervision note at paragraph 30 of the case diary have found that the deceased had closed the room and burnt herself and the door was then broke open. He further submits that the witnesses have also stated that there was fight between the petitioner and the deceased regarding good relationship of the

petitioner with his brothers.

However, learned A.P.P. for the State submits that the petitioner is the husband and named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the prosecution case is not supported by the uncle of the informant and co-villagers, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 167 of 2015.

(Nilu Agrawal, J)

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