

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26126 of 2016

Arising Out of PS.Case No. -194 Year- 2015 Thana -PAKARIBARAW District- NAWADA

=====

Ajay Prasad Son of Late Chamari Mahto, Resident of Village- Poksi, P.S.-
Pakaribarwan, District- Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Dr. Indihar Kumari

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 304(B)/34 of the Indian Penal Code.

The allegation against the petitioner is of committing
murder of his wife, due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 07.12.2015. After investigation,
charge sheet has been submitted under sections 302 and 494 of
the Indian Penal Code. The petitioner has got no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. The petitioner has falsely been

implicated in the present case. From perusal of the postmortem report, it is evident that there is no external or internal injury on the body of the deceased. Hence, the cause of death could not be ascertained. From perusal of the Viscera report, it has been stated that “*No Metallic, Alkaloidal, Glycosidal, Pesticidal or volatile poison could be detected in the contents of Glass Jars as described above*”. Hence, the aforesaid facts clearly indicate that the deceased had a natural death.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Nawada, in connection with Pakaribarawan P.S. Case No. 194 of 2015 (G.R. No. 2949 of 2015).

The Viscera report be returned to the Director, Forensic Science Laboratory, Patna, in sealed cover.

(Sudhir Singh, J.)

Amit/-

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