

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7230 of 2016

Arising Out of PS.Case No. -93 Year- 2012 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Satish Kumar Kushwaha, son of Madan Kushwaha, resident of village -
Tuniya, Police Station - Manuapul, District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 19-04-2016 Heard Sri Bashishtha Narayan Mishra, learned

counsel, who was assisted by Sri Brij Kishore Mishra, learned

counsel for the petitioner and Sri Damodar Prasad Tiwary, learned

Addl. Public Prosecutor.

The petitioner, husband of the deceased, who is in
custody since 20.11.2015, in Bettiah Muffasil (Manuapul) P.S.
Case no.93 of 2012 registered for the offence under Sections
304(B), 201/34 of the Indian Penal Code, has prayed for grant of
bail.

Learned counsel for the petitioner submits that wife
of the petitioner died due to the reason that she had developed
severe pain in abdomen and while she was being carried to
hospital, she died. A plea was taken that the younger son of the

informant had participated in funeral. Thereafter the informant filed a case, whereas on perusal of the F.I.R. there is specific accusation against the petitioner regarding torture of daughter of the informant for non-fulfilment of dowry. It is case of the informant that when his younger son went to her sister's in-laws house, he got information that his sister was already done to death on 17.03.2012 and, thereafter, on the next date F.I.R. was lodged i.e. in the year 2012 itself.

In view of facts, particularly the fact that the dead body was disposed of, as alleged in the F.I.R., without any intimation to the parents of the deceased as well as the fact that though F.I.R. was lodged in the year 2012, the petitioner is in custody only since 20.11.2015, I do not find any ground to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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