

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9775 of 2016

Arising Out of PS.Case No. -217 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

1. Kumod Choudhary, son of Sukhdeo Chaudhary, resident of village
Repura Rampur Vishwanath, P.S. Saraiya, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. J.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 28-04-2016 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner is an accused in connection with Saraiya
(Jaitpur OP) P.S.Case No. 217 of 2014 registered under Sections
304(B), 210 and 34 of the Indian Penal Code.

The prosecution case is that the daughter of the informant
was killed by the petitioner, father-in-law and mother-in-law of
the deceased due to non fulfillment of demand of dowry.

Learned counsel appearing on behalf of the
petitioner submits that, in fact, the daughter of the informant, who
was the wife of the petitioner, died due to diarrhoea on 17.06. 2014
and cremation was performed but after two days the informant
lodged the present case merely on suspicion. Moreover, after

realizing the real fact, the informant has filed a compromise petition in the Court of learned S.D.J.M., Muzaffarpur (West) saying that the case has been lodged due to mistake of fact while his daughter, Poonam Devi, died due to diarrhoea. It is further submitted that out of wedlock, there is two children and they are residing with the family of the petitioner.

Having considered the facts and circumstances of the case, the petitioner, above named, is directed to 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 learned S.D.J.M., West, Muzaffarpur in Saraiya (Jaitpur OP) P.S. Case No. 217 of 2014.

(Rajendra Kumar Mishra, J)

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