

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56993 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -FATEHPUR District- GAYA

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Manoj Singh @ Manoj Kumar Son of Pavitar Singh Resident of Village-
Sikari Police Station Fatehpur District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rakesh kumar son of Tarkeshwar Singh Resident of Mohalla Chand
Chaura Police Station Civil Lines, District Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar
For the Opposite Party/s : Mr. Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in
connection with Fatehpur P.S. Case No. 7 of 2015 for offence
under Section 304(B)/201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that since
the marriage was solemnized in the year 2006 and the alleged date
of occurrence is 6.1.2015, Section 304 of the Indian Penal Code
does not apply.

The First Information Report discloses that the couple
has two sons aged about 5 and 4 years respectively. An allegation
has been made against the petitioner to have assaulted and killed

his wife on account of dowry but, from the Case Diary, it appears that the doctor has given statement that the lady was brought to his clinic in unconscious position and, after giving some medical assistance, he had referred the matter to Magadh Medical College and Hospital.

Looking to the facts and circumstances of the entire case, let the petitioner, Manoj Singh @ Manoj Kumar be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 7 of 2015.

(Shivaji Pandey, J)

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