

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32976 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -BIRPUR District- SUPAUL

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Raju Gupta Son of Nageeshwar Gupta, resident of Village- Hirday Nagar,
Police Station- Birpur, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Smt Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-09-2016

A supplementary affidavit has been filed on behalf of

the petitioner. The same may be kept on the record.

In the light of the supplementary affidavit, the learned
counsel for the petitioner is permitted to make necessary
correction in paragraph 8 of the petition.

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 304B/34 of the I.P.C.

The prosecution story, in brief, is that the daughter of
the informant was married with the petitioner about seven years
ago and at the time of marriage the informant had given cash and
kind according to his status. After the marriage, the in-laws
including the petitioner started demanding dowry and due to non-
fulfilment of dowry her daughter was tortured by various ways. A
panchayati was also held but of no avail. Lastly the in-laws

including the petitioner killed her daughter by burning after pouring kerosene oil.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 5.4.2016 and the charge sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. In paragraphs 34 and 35 of the case diary, it has been stated that the deceased had caught fire while she was cooking. Thereafter she was taken for treatment at Dharan Medical College, Nepal. Later on she succumbed to the injuries. The informant has retracted from the earlier statement vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Additional Chief Judicial Magistrate, Birpur (Supaul) in connection with Birpur P.S. case No.69 of 2016.

Narendra/-

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(Sudhir Singh, J)