

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23215 of 2017

Arising Out of PS.Case No. -41 Year- 2016 Thana -DANDKHORA District- KATIHAR

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Balram Mandal, S/o Tilakchandra Mandal, R/o Soti, P.S.- Dandkhora,
District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 05-07-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Dandkhora
P.S. Case No.41 of 2016 registered under Sections 302/34 of the
Indian Penal Code, pending in the court of the Sub Divisional
Judicial Magistrate, Katihar.

The accusation of the informant Ramesh Prasad is that he
performed the marriage of his daughter, namely, Pinki Kumari,
aged about 20 years, with the petitioner before two years. Due to
their wedlock, there is also a female baby of six months. On
07.08.2016, the informant received information on his mobile
about the death of his daughter. Thereafter, the informant



alongwith his family members and villagers went to the sasural house of his daughter and found his daughter dead lying on a cot and her baby, aged about six months weeping but no family members of the sasural of his daughter was present there. The informant raised suspicion about killing of his daughter by hanging by her husband (petitioner) and other in-laws.

Learned counsel appearing on behalf of the petitioner submits that there is no eye witness to the occurrence. There is no specific allegation against the petitioner, who is the husband of the deceased, rather the informant has raised suspicion against the petitioner and his other family members in killing the deceased of his daughter by hanging. The petitioner is in custody since 01.09.2016.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the contention that the deceased, who is the wife of the petitioner, died within two years of her marriage and her dead body was found lying on a cot at her matrimonial house where her baby was weeping and no family members of the sasural of the deceased was present there. Further, in the post-mortem examination of the dead body of the deceased, as detailed in paragraph-16 of the case diary, the cause of her death was found Asphyxia due to hanging.



Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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