

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41121 of 2017

Arising Out of PS.Case No. -258 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Ganesh Mandal Son of Kallar Mandal Resident of Village- Santnagar
Fulkiya, P.S. Ghogha, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the State : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-10-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

According to F.I.R. victim Amrita Devi was
married with this petitioner about two months prior to her
unnatural death.

Allegation is that there was demand for dowry
and on non-fulfillment of the same, death for dowry was
committed of Amrita Devi. The case diary would reveal that
other witnesses have also supported the allegation of demand
of dowry and torture for same. The postmortem report reveals
that the Doctor has found antemortem injuries on the person



of the deceased caused by hard and blunt force. The death was due to haemorrhage and shock.

Submission of the learned counsel for the petitioner is that in fact Amrita Devi was physically challenged from her leg, she had gone to attend call of nature on the railway track where she met with an accident and died of that. Other witnesses have also stated that when the maternal family members of Amrita Devi started quarreling with the petitioner and others, the villagers came and pacified the matter.

Considering the fact that the victim died within few months of her marriage in unnatural circumstances and there is allegation of demand of dowry and torture for the same, I am not inclined to enlarge him on bail in connection with S.T. No. 16 of 2017 corresponding to Kahalgaon P.S.Case No. 258 of 2016 pending in the court of learned 5th Additional Sessions Judge, Bhagalpur /successor court.

Hence, this application is rejected.

(Birendra Kumar, J)

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