

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54315 of 2017

Arising Out of PS.Case No. -162 Year- 2017 Thana -SHRIKRISHNAPURI District- PATNA

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1. Amit Sinha, son of Shri Subodh Prasad, resident of Flat No. 4C, Jagdish Lok Apartment, Boring Canal Road, P.S.- Sri Krishna Puri, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Shukla
Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. Sri B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 07-12-2017 Heard the counsels for the parties.

The petitioner, who is the husband of the deceased, seeks bail in connection with Sri Krishna Puri P.S. Case No. 162/2017 dated 20.06.2017 instituted for the offences under Sections 304B and 34 of the Indian Penal Code.

The deceased died on 09.06.2017, whereas the F.I.R. was lodged after about 11 days, i.e. on 20.06.2017. Though, in the F.I.R. it has been alleged that the deceased was being pressurized to bring additional dowry and was also tortured, but the learned counsel for the petitioner has submitted that the marriage had taken place in the year 2012 and no complaint was ever lodged by the informant regarding ill-treatment to his daughter. It has further been submitted that during the course of investigation, in the



further statement, the informant has stated that he was informed about the serious condition of his daughter by the petitioner. On such information, he visited the matrimonial home of his daughter and found that his daughter was ill. He along with others had taken his daughter to the hospital, but on the way, she died. Later, with the consent of the relatives and other well-wishers of both the families, the dead body was cremated. Similar statement has been made, it has been argued, by the son of the informant (brother of the deceased). He has also stated categorically that with the consent of all, the deceased was cremated. Only after seeing the photograph of the deceased which was taken at the time of cremation, that a suspicion arose in the mind of the informant and others that the deceased might have been killed. It has further been submitted that the present case is nothing but only suspicion and merely because the petitioner happens to be the husband of the deceased, he has been made accused in this case.

The petitioner is in custody since 23.06.2017.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna in connection with Sri Krishna Puri



P.S. Case No. 162/2017.

(Ashutosh Kumar, J.)

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