

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46483 of 2016

Arising Out of PS.Case No. -171 Year- 2016 Thana -FATEHPUR District- GAYA

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Bharat Singh, Son of Ram Awtar Singh, resident of Village Bedaila @
Badhiha, Police Station Fatehpur, District-Gaya.

.... 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

7 08-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Fatehpur P.S.
Case No.171 of 2016 registered under Sections 304(B)/34 of the
Indian Penal Code.

The accusation of the informant is that he performed the
marriage of his daughter with the petitioner before five years.
After passing over two year of her marriage, she was being
tortured by her husband (petitioner) and other in-laws for the
demand of dowry of cash Rs.1,00,000/-. On 20.06.2016, his
daughter informed him on phone about making demand of dowry
of cash Rs.1,00,000/- by her sasural people, giving threatening



otherwise she would be killed. On 21.01.2016, in the morning, Ram Awtar Singh, the father-in-law of his daughter, informed the informant about illness of his daughter. When the informant went to the sasural house of his daughter, he found his daughter lying dead.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is the husband of the deceased, the daughter of the informant. In fact, the deceased, the daughter of the informant, became ill seriously and the information in this regard was given to the informant by the father-in-law of the deceased, the daughter of the informant, and when the informant reached at the sasural of his daughter, in the meantime, his daughter died. Further submission is that in the post-mortem examination of the dead body of the deceased, the daughter of the informant, no external injury was found. The petitioner is in custody since 18.07.2016.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail but fairly conceded that in the post-mortem examination of the dead body of the deceased, the daughter of the informant, no ante-mortem injury was found and the opinion regarding the cause of her death was kept reserved till the availability of the viscera report of the dead body of the



deceased, the daughter of the informant.

The viscera report of the dead body of the deceased, the daughter of the informant, as called for, has been received from which it appears that no metallic, alkaloidal, glycosidal, pesticidal or volatile poison could be detected from the viscera of the dead of the deceased, the daughter of the informant.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Fatehpur P.S. Case No.171 of 2016.

(Rajendra Kumar Mishra, J)

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