

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9719 of 2017

Arising Out of PS.Case No. -130 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

=====

Kailash Mukhiya @ Kailash Sahani, Son of Mahavir Sahani @ Mahabir Mukhiya, Resident of Village- Korthu, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

=====

Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 03-05-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioner seeks bail in connection with Ghanshyampur P.S. Case No.130 of 2015 registered under Sections 304(B) and 201/34 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Benipur (Darbhanga).

The accusation is of killing the deceased, the daughter of the informant, by her husband (petitioner) and other in-laws, within two years of her marriage, for non fulfillment of the dowry demand and also making attempt to dispose of her dead body.

Learned counsel appearing on behalf of the petitioner submits that, admittedly, the petitioner is the husband of the deceased, the



daughter of the informant, who died within two years of her marriage at her matrimonial house. In fact, the deceased, the daughter of the informant, had illicit relation with another boy before the marriage, due to that reason, she mixed the poison in the food and the deceased and the petitioner both took the food and after taking the same, both became unconscious and both were taken to P.H.C. Biraul, for treatment and while the deceased, the daughter of the informant, died in the way but petitioner was taken to P.H.C., Biraul from where he was taken to D.M.C.H. Darbhanga for treatment, which is detailed in paragraph-105 of the case diary. The petitioner is in custody since 08.09.2016.

On the other hand, learned A.P.P. for the State submits that it is not detailed in paragraph-105 of the case diary that the petitioner was unconscious at the time of admission in the hospital.

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./-

U		T	
---	--	---	--

