

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36077 of 2016

Arising Out of PS.Case No. -244 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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1. Manjay Kumar Sah, son of Vijay Sah, all resident of village - Mirchai Patti, Ward No. 9, P.S. Sitamarhi, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6/ 23-03-2017

Heard learned counsel for the Petitioner and the State.

Petitioner seeks bail in Sitamarhi P.S. Case No.244 of 2016 instituted under Section(s) 304-B/34 Indian Penal Code pending before the Chief Judicial Magistrate, Sitamarhi.

Petitioner is husband of the deceased. Allegation against petitioner is that he used to commit torture with the deceased for rupees fifty thousand and due to non-fulfillment of the aforesaid demand, she was murdered by the petitioner and other accused persons.

It is stated in the written report that on 17.04.2016, this petitioner informed on mobile phone of the informant that condition of his daughter is serious. The informant went to her



Sasural and found that she was alive but was breathing with difficulty. She was not taken to hospital for proper treatment by her husband and thereafter the Informant took his daughter to Sadar Hospital where she was declared dead.

Viscera report has been received in sealed cover, which is opened in Court. In the Viscera Report, it has been mentioned that Aluminum Phosphate was detected in the sample, which is commonly known as Celphos.

In this manner, the deceased died unnatural death in her *Sasural*. There is specific allegation against the petitioner as stated above.

Therefore, this Court is not inclined to grant bail to the Petitioner at this stage.

Prayer for bail is **rejected**.

The petitioner may renew his prayer for bail after nine months if no substantive progress is made in the case.

(Sanjay Priya, J)

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