

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53327 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -SANDESH District- BHOJPUR

SANTOSH SINGH SON OF LATE SATENDRA SINGH, RESIDENT OF VILLAGE- NUSRATPUR, P.S. - SANDESH, DISTRICT - BHOJPUR AT ARA (BIHAR).

... .. PETITIONER/S
VERSUS
THE STATE OF BIHAR OPPOSITE PARTY/S

Appearance :

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

For the Opposite Party/s : Mr. Md. Sufiyan, APP

ORAL ORDER

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

3 23-02-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor along with learned counsel for
the informant.

Deceased, Munni Devi who was married with the petitioner in the year 2012 met with death while staying at her Sasural, her dead body was disposed of by her Sasuralwala which, the informant, her father came to know from Ramjee Singh whereupon rushed to the place and during course thereof, found none of the accused at the place. Furthermore, it has also been alleged that deceased was regularly subjected to torture on account of non-providing of motorcycle.

Learned counsel for the petitioner drew attention towards para-51 and 52 of the case diary and submitted that deceased on her own committed suicide by consuming poison and thereafter, her dead body was disposed of by the petitioner and others whereupon the offence comes within the purview of 201 of the IPC, bailable one, so petitioner should be released on bail.

The learned Additional Public Prosecutor opposed the



prayer.

From perusal of the case diary it is evident that there happens to be sumptuous material available on the record regarding torture, harassment having meted out to the deceased on the pretext of fulfillment of motorcycle and lastly she was done to death. The manner whereunder her dead body was disposed of without informing the prosecution party is another circumstance. Para-51 and 52 are the co-villagers of the petitioners who too kept themselves in the category of hearsay and so, considering in its totality coupled with status of the petitioner being husband, I do not see it a fit case for grant of bail. Accordingly, prayer for bail is rejected.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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