

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41302 of 2017

Arising Out of PS.Case No. -165 Year- 2016 Thana -BASOPATTI District- MADHUBANI

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1. Manoj Ram @ Manoj Kumar Ram Son of Late Raja Ram Resident of
Village - Garhi Tola, P.S. - Jaynagar, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-10-2017 The petitioner seeks regular bail in connection with

Basopatti P.S. Case No. 165 of 2016, registered for offences

punishable under Sections 304B/201 of Indian Penal Code.

Petitioner is husband of the deceased and allegation
against her is of killing the deceased. Later on charge-sheet has
been submitted under Section 302, 201 and 34 of Indian Penal
Code and also under Section 4 of POCSO Act.

It has been submitted on behalf of the petitioner that
prosecution has given complete go by to the earlier version of
dowry death and came with a different story of kidnapping and
murder of the deceased, however, there is no evidence available on
record to connect the petitioner and, therefore, there is no
applicability of Section 304B of Indian Penal Code as well and no



presumption will lie against the petitioner and the deceased might have died in some other manner.

Learned counsel for the State opposed the prayer for bail.

Having heard both sides, considering the fact and circumstances of the case and also the fact that impugned order shows that witnesses have supported the prosecution story, as such, I am not inclined to release the petitioner on bail, his application for regular bail is accordingly, rejected.

(Vinod Kumar Sinha, J)

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