

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24757 of 2017

Arising Out of PS.Case No. -198 Year- 2016 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Deepak Kumar Son of Kameshwar Ram, R/o Chandpur Bela, P.S.-
Jakkanpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Sinha, Sr. Adv.

For the informant : Rudal Prasad, Adv.

For the State : Smt. Sucheta Yadav, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sohsarai P.S. Case no. 198 of 2016, registered under Section
304(B)/34 of the Indian Penal Code.

The allegation of informant Ramkeshwar Ram is that he
performed the marriage of his daughter with this petitioner on
10.03.2016 and at the time of marriage a sum of Rs. 8,50,000/-, one
Hundai I-10 car, ornaments and furniture were also given to the
petitioner and his family. After the marriage his daughter was being
tortured mentally and physically by her husband (Petitioner), father-in-
law, brother-in-law and mother-in-law. On knowing about torture
made upon his daughter, the informant went to matrimonial house of
his daughter and tried to pacify the matter, but accused persons were



demanding dowry, due to that reason being fed up with the act of the accused persons, the daughter of the informant committed suicide and before that she also wrote a suicidal note, which itself suffice to show his agony at the hand of her husband and other in-laws.

Learned counsel for the petitioner submits that petitioner is a Locomotive driver and he used to reside at his parental house situated in Jakkanpur, Patna along with his wife, while his father and mother used to reside at Harnaut in connection with his job. In the meantime, the deceased wife of the petitioner conceived pregnancy, but she wanted to abort the pregnancy as she intended to do job, but family members of petitioner do not ready to abort. On 08.11.2016 brother of his wife came and took his wife at his house on pretext of illness of mother. Later on, petitioner was informed about illness of his wife then he along with his parents reached at the house of informant and found his wife dead. The dead body of was taken by the petitioner from his sasural and cremation was performed on the next day at Gulbi Ghat, Patna, but with ulterior motive this case has been lodged.

Learned counsel for the informant submits that, in fact, the Police officer to whom the written report was handed over by the informant received the suicidal note from P.O, but in collusion with the accused persons that suicidal note has not been tagged in the F.I.R. nor the same has been detailed in the case diary. The matter is still under investigation.



Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-VI, Nalanda at Biharsharif in connection with Sohsarai P.S. Case No. 198 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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