

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5854 of 2017

Arising Out of PS.Case No. -2 Year- 2014 Thana -KOCH District- GAYA

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Govind Kumar, Son of Kapildeo Mehta, resident of Village - Sinduari, P.S.
Konch District Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish, Advocate

For the Opposite Party/s : Mrs. Indu Bala Pandey, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 13-04-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.09.2016 in connection with Konch P.S. Case No. 2 of 2014
registered for the offence punishable under Sections 304(B) and
201/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter
was married to the petitioner and there was a demand of dowry by
all the family members of the petitioner and she was ultimately
killed by burning her due to non-fulfilment of demand of dowry.

It has been submitted by the learned counsel for the petitioner
who is the husband that he is innocent and was not at the place of
occurrence at the relevant point of time, as has been supported by



the independent witnesses in paragraph 12 of the case diary. The independent witnesses have also not supported the prosecution case, as is evident from paragraphs 13 and 14 of the case diary, as it has been stated that it was an accidental death, as she got burnt while cooking and was taken to hospital where she succumbed. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He further submits that all the other co-accused have since been granted the privilege of bail by this Court.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances, since allegations are general and omnibus, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Konch P.S. Case No. 2 of 2014.

(Nilu Agrawal, J.)

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