

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.11765 of 2017**

Arising Out of PS.Case No. -265 Year- 2016 Thana -BEGUSARAI MUFFASIL District-  
BEGUSARAI

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Rahul Singh @ Rahul Kumar Singh Son of Ram Kumar Singh @ Ram  
Pukar Singh, Resident of Village- Ulao, P.S.- Muffasil (Singhaul O.P.),  
District- Begusarai. .... Petitioner

Versus

The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Chandan Kumar Kashyap

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

ORAL ORDER

3      27-04-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Muffasil  
(Singhaul O.P.) P.S. Case No. 265 of 2016 registered for the  
offences punishable under Sections 304B, 201/34 of the Indian  
Penal Code.

Madhumala, the daughter of the informant, was married to  
the petitioner on 20.06.2013 and due to non-fulfillment of demand  
of dowry by way of freez, swing machine and cash, she was being  
tortured and assaulted by the petitioner and others and they  
administered poison to her and brought for treatment before Dr.  
Arun Kumar Singh but she died on 30.06.2016 in the evening and  
further cremated the dead body without informing the informant.

Submission is of false implication and that during



investigation the doctor Arun Kumar Singh has been examined and he has submitted written report vide paragraph 56 of the case diary wherein he has stated that the deceased died due to illness and she was suffering from Meningitis, the independent witnesses vide paragraph 20, 21, 22 and 23 of the case diary have also stated that the deceased died due to illness, the petitioner is suffering in custody since 02.07.2016 without any fault and as such the petitioner deserves sympathetic consideration.

Learned APP submits that the petitioner is the husband and is named in the FIR.

In the facts and circumstances stated above, considering that there is no chance of tampering with prosecution evidence, the independent witnesses have not supported the prosecution version and further Dr. Arun Kumar has also submitted written report stating that the deceased died due to illness, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil (Singhaul O.P.) P.S. Case No. 265 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned



and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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