

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16023 of 2017

Arising Out of PS.Case No. -254 Year- 2016 Thana -KUDHNI District- MUZAFFARPUR

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1. Jitendra Kumar @ Jitendra Kumar Singh Son of Pradip Singh @ Chulhai Singh, Resident of Village- Kudhani Tola, P.S.- Kudhani, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 25-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 16.09.2016 in connection with Kudhani (Kurhani) P.S. Case No. 254 of 2016 registered under Sections 304B, 201, 120B/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, happens to be the husband of the deceased is innocent and has not committed any offence. The petitioner has never demanded any dowry nor tortured the deceased in any manner ever. In fact, the deceased died due to burn injury, which sustained while she was preparing food. The petitioner is rotting in custody for the last six months.



Learned A.P.P. for the state has opposed the prayer for bail and submitted that the petitioner happens to be the husband of the deceased used to make demand of dowry and non-fulfillment of the same, he used to torture the deceased. The witnesses have also supported the involvement of the petitioner in committing the alleged occurrence, which is evident from the case diary.

Considering the facts and circumstances of the case, this Court is not inclined to grant bail to this petitioner. Accordingly, the prayer for bail of this petitioner is, hereby, rejected.

(Arvind Srivastava, J.)

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