

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9234 of 2018

Arising Out of PS.Case No. -190 Year- 2017 Thana -CIVIL LINE District- GAYA

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MONU KUMAR @ MONU CHOUDHARY, S/o Jagarnath Chaudhary,
R/o Village- Tilha Mahavir Asthan Town, P.S.- Civil Lines, District- Gaya,
At present residing at Mohalla- New Area, Rajendra Ashram, P.S.- Civil
Lines, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudha Chandra, Advocate.

For the Opposite Party : Mr. Sri Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-03-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since
31.12.2017 in a case for the offence registered under Sections
498(A), 304(B)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to mistake of fact. In paragraph no.25 of the case diary, statement of the victim girl (deceased) has been recorded where she had admitted that she tried to commit suicide. Similar statements have been made in paragraph nos. 15, 16, 17 and 71 of the case diary. Admittedly, it is not a case for the offence under Section 304(B) of the IPC. The postmortem report also shows that the deceased died due to burn injuries.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R and he is the husband of the deceased.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya, in connection with Civil Lines P.S. Case No. 190 of 2017.

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(Sudhir Singh, J)

