

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5197 of 2018

Arising Out of PS.Case No. -114 Year- 2009 Thana -PAROO District- MUZAFFARPUR

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Prakash Kumar, son of Sri Prabhu Mahto, resident of Village- Gariba, P.S.-
Paroo, District- Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Smt Sangeeta Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner, who is the husband, is in custody since 20.09.2017 in connection Paroo P.S. Case No.114 of 2009 registered for the offence under Sections 304 B and 201 of the Indian Penal Code.

Learned counsel for the petitioner submits that though the allegation against the petitioner is under Section 304B of the Indian Penal Code, charge sheet has now been submitted under Section 306 I.P.C. and, therefore, the petitioner being the husband is entitled to be released on bail.

Diary in the present case was called for, which has since been received.



Learned counsel appearing on behalf of the State submits that there are sufficient materials to show that it is a clear case of dowry death and even the body was cremated in hot haste. There is also no material on the record that the girl was ailing since long.

Having considered the entire facts and circumstances and the materials available in the case diary, I am not inclined to grant regular bail to the petitioner. It is, accordingly dismissed.

(Anjana Mishra, J)

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