

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54065 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -DUMRAUN District- BUXAR

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1. Raju Sah, S/o Late Gupteshwar Sah, resident of Village- Dumraon
(Thakur Lohar Ki Gali), P.S.- Dumraon, District- Buxar. Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv

For the Opposite Party/s : Mr. Sri Nityanand Tiwary, APP

For the Informant : Mr.Arvind Kumar Pradhan, Adv

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 17-04-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

Petitioner is husband of the victim of dowry
death.

Submission of the learned counsel for the
petitioner is that there is no allegation of demand of dowry
and torture for the same soon before death. The postmortem
report and the F.S.L. report would reveal that the Doctor did
not find a case of unnatural death, no poisonous substance
was found in the viscera, whereas, allegation is that the
victim had disclosed to the informant (the mother) that she
had been poisoned by the family members. Further
submission is that in fact the victim has died of illness



during course of treatment which has come during investigation in the evidence of some witnesses.

Learned counsel for the informant opposed the prayer for bail on the ground that the matter of matrimonial dispute for non-fulfillment of more dowry demand was there pending in the court and after compromise, the parties had gone together. Therefore, it cannot be said that there was no allegation of demand of dowry.

So far the present case is concerned for the purpose of consideration of this prayer for regular bail, the allegation is not corroborated by any other evidence. The petitioner is in custody since 20.05.2017. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.T.No.215 of 2017 arising out of Dumraon Police Station Case No.134 of 2017, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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