

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37641 of 2018

Arising Out of P.S.Case No.4 Year- 2018 Thana -KADAMKUAN District- PATNA

=====

Satish Kumar, S/o Subodh Kumar, R/o Machuatli Chowk, beside of Dazy
Sweets Paras Vastralay Kadamkuan, P.S.- Kadamkuan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner, learned counsel
for the Informant as well as learned APP for the State.

The petitioner is in custody in connection with
Kadamkuan P.S.Case No.04 of 2018 pending in the Court of Sub
Judge-VII-cum-ACJM, Patna registered for an offence under
Sections 304(B)/34 of the IPC.

This petitioner is husband of the deceased. His marriage
was performed with the daughter of the informant on 14.12.2015.
It is alleged that after few days of marriage her husband (this
petitioner) and in-laws started torturing her daughter. The
informant on getting information came at her place and pacified
the matter. The informant has further stated on 01.01.2018, he
received a call over his mobile from this petitioner to this effect



that his daughter has locked the room from inside and in spite of their request she did not open the door. The informant immediately sent his son at the place of his daughter where he found his daughter dead. The informant has further alleged that the husband and in-laws were not satisfied with the gift given at the time of marriage and so they used to torture and assault her.

Learned counsel for the petitioner submits that the allegation of demand is omnibus and has been made only to extort the money. The deceased had locked the room from inside and so there was no occasion for the petitioner or any of the family members to assault or commit her murder. The petitioner had deposited handsome money and also purchased a Motorcycle in the name of his wife which shows that the wife and husband were maintaining cordial relation. The petitioner is in custody since 02.01.2018 having clean antecedent and so he deserves to be enlarged on bail.

On perusal of the FIR and the case diary, it appears that the death of the deceased took place in the matrimonial house in unnatural circumstance within three years of marriage. In FIR, the informant has specifically alleged that this petitioner and his family members were not satisfied with the gift given at the time of marriage and they used to torture and assault. In course of



investigation, some of the witnesses have supported the allegation of torture and assault. In postmortem report, the doctor has reported ligature mark on upper mid portion of neck. The doctor however preserved viscera for its chemical analysis.

Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. The prayer for bail is rejected.

(Sanjay Kumar, J)

B.Kr./-

U		T	
---	--	---	--

