

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5344 of 2018

Arising Out of PS. Case No.-146 Year-2017 Thana- CHARPOKHARI District- Bhojpur

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Dharmendra Sah @ Dharmendra Sao @ Dhamendra Sao @ Budhan @
Dhamendra Kumar S/o Krishna Sah @ Baboon Sah, R/o Village- Koyal, P.S.-
Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. SRI S. EHTESHAMUDDIN

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Charpokhari P.S. Case No. 146 of 2017 registered for the offence punishable under Sections 304 (B), 201, 120(B)/34 of the Indian Penal Code.

Informant is the brother of deceased, who, in his written complaint on 04.07.2017 has stated that marriage of his sister was solemnized with petitioner in 2016 and thereafter she was being tortured for non-fulfillment of demand of dowry. On 03.07.2017 he got information that the petitioner and other family members have killed and cremated her and thereafter on 04.07.2017 he has lodged the present FIR.

Learned counsel for the petitioner submitted that



he is innocent and has been falsely implicated in this case. It has further been submitted that the informant and his family was informed on 03.07.2017 itself about the death of his sister and she was being treated for complication during pregnancy and during the course of treatment she died and same was informed to the informant and his family also. It has been further submitted that after realizing the truth the informant has also filed a petition before the court below that he is willing to compromise and does not want to pursue the case. Although the offence is non-compoundable but considering the facts and circumstances of present case there being general and omnibus allegation against all family members including petitioner and no specific allegation made against the petitioner.

Let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.- Xth, Bhojpur, Ara, in connection with Charpokhari P.S. Case No. 146 of 2017.

(S. Kumar, J)

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