

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32941 of 2018

Arising Out of PS.Case No. -84 Year- 2017 Thana -SONBERSA District- SAHARSA

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Kundan Sah, S/o Laxman Sah, R/o Vill.- Manori, P.S.- Sonbarsa Raj,
District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner and the

learned counsel for the informant as well as the learned counsel

appearing on behalf of the State.

The petitioner, being the husband of the deceased lady, is in custody since 01.08.2017 in connection with Sonbarsa Raj P.S. Case No.84 of 2017 registered for the offence under Section 304B of the Indian Penal Code.

Learned counsel for the petitioner submits that actually it is a case of accident in which the cylinder has burst and that she was duly taken care of in the hospital. However, she was referred to the higher centre by the concerned Doctor and thereafter she died. It is thus submitted that the petitioner may not be kept in custody on account of frivolous allegation



levelled by the family members of the deceased.

Learned counsel for the informant, however, has submitted that as soon as she received the information regarding the burning of the deceased, her family which is based on Ludhiyana, rushed to Saharsa but before they could reach, the girl had died and the body was surreptitiously cremated without even waiting for them to reach. It is thus submitted that the petitioner has, within seven years of their marriage in connection with the some demand of dowry, done the daughter of the informant to death. Thus, the petitioner does not deserve bail.

Having heard learned counsel for the parties and after perusal of the entire materials on the record, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

However, the trial of the case may be expedited.

(Anjana Mishra, J)

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