

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6364 of 2019

Arising Out of PS. Case No.-143 Year-2018 Thana- KALUAHI District- Madhubani

Ramesh Singh, aged about 40 years, Son of Ram Narayan Singh, Resident of
Bharat Patti, P.S.-Kaluahi, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
25.09.2018 in a case registered for the offences punishable
under Sections 302 and 304B/34 of the Indian Penal Code.

The prosecution case as per the written report of Hira
Devi dated 08.09.2018 submitted to the Station House Officer of
Kaluahi Police Station is to the effect that the informant's
daughter, Priyanka Kumari was married with the petitioner,
Ramesh Singh about six years prior to the lodging of the case,
consequently they were blessed with a daughter and a son, but
after the marriage, she was being tortured for non-fulfillment of
further dowry demand of Rs.Two lakhs, a motorcycle and other
household articles. On 07.09.2018 at 2.00 P.M., an unknown



person informed the informant that her daughter has been killed by her in-law family members and the dead body has been thrown in the pond.

It is submitted by learned counsel for the petitioner that the petitioner is the husband of the victim. The accusation of demand of dowry after six years of marriage appears to be unreasonable and unbelievable. It is further submitted that, in fact, the victim went missing and the search was being made and subsequently, the dead body of the victim was recovered from a pond. The accusation of forceful drowning the victim is not corroborated by the medical opinion which does not suggest external injury, particularly, resisting injury and the cause of death has been opined by the doctor due to asphyxia caused by drowning.

Learned APP submits that the thrust of accusation is against the petitioner, who is the husband of the victim, who died after six years of the marriage.

Considering the fact that the investigation being concluded and the accusation of forceful drowning not being corroborated with the medical opinion, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, Ist Class,
Madhubani in connection with Kaluahi P.S. Case No. 143 of
2018.

(Dinesh Kumar Singh, J)

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