

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18246 of 2019

Arising Out of PS. Case No.-213 Year-2015 Thana- LAHERIMUHALLA District- Nalanda

Rajesh Malakar, Son of Suresh Malakar, Resident of Village - Bareba, P.S.-
Akwarpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Siya Devi, W/O Surendra Malakar, Sivpuri, Ram Chandrapur, (Late Kameshwar Mahto house), P.S. Laheri, Distt. Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh
For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 26-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Laheri P.S. Case No. 213 of 2015 registered under Sections
304(B) and 201/34 of the Indian Penal Code.

The accusation is that marriage of daughter of
complainant-informant, Siya Devi, was performed with
petitioner before six years and at the time of marriage, petitioner
demanded Rs.50,00,000/- and motorcycle, as dowry but anyhow
the marriage was solemnized. Thereafter, her daughter, Rinku
Devi, used to reside at her Sasural. In the meantime, her
daughter was being tortured by her husband and in-laws due to



non-fulfillment of demand of dowry and petitioner performed re-marriage with another lady and her daughter was removed from her matrimonial house. Thereafter, panchayati was arranged and her daughter again went to her matrimonial house. In the meantime, her daughter was blessed with two children but in spite of that the behaviour of her husband and in-laws was not changed. When she went to Sasural of her daughter but her daughter was not there. The informant raised suspicion about killing of her daughter by her husband and in-laws due to non-fulfillment of demand of dowry and concealing her dead body.

Learned counsel for the petitioner submits that it would appear from the complaint petition, which is the basis of F.I.R. that before lodging the complaint petition, marriage of the petitioner was performed with the daughter of the informant-complainant more than six and half years. In fact, daughter of the informant-complainant used to reside at her matrimonial house and out of their wedlock, two children were born but she was not mentally fit and used to leave the house without any information, regarding which, several times information was given to the police station and this fact was also in the knowledge of the informant but with ulterior motive the present case has been lodged with false allegation.



Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Biharsharif, Nalanda, in connection with Laheri P.S. Case No. 213 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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