

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33896 of 2019

Arising Out of PS. Case No.-80 Year-2018 Thana- AAYAR District- Bhojpur

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KRISHNA SAH, Son of Gajadhar Sah, Resident of Village-Bali Gaon, P.S.-
Ayar, District-Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Singh

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsels for the petitioner and the State.

The petitioner, being the husband of the victim is languishing in custody since 27.10.2018 in a case registered for the offence punishable under Section 304B of the IPC.

The prosecution case is that the sister of the informant was married with the petitioner and subsequently they were blessed with two children, but subsequently, for non-fulfillment of the further dowry demand, the victim was tortured and ultimately killed by all the in-law family members including the petitioner.

It is submitted by learned counsel for the petitioner that though date of marriage has not been mentioned in the FIR, but apparently it appears that the marriage of the victim was performed about 7 years prior to the alleged occurrence. It is further submitted that the victim was suffering from some



serious ailment, for which she was provided adequate medical assistance by the petitioner. The postmortem report does not reflect any injury on the body of the victim and the viscera has been kept preserved. Moreover, on conclusion of investigation, the chargesheet has been submitted under Section 302 IPC. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the thrust of accusation is against the petitioner, being the husband of the victim.

Considering the fact that on conclusion of investigation, chargesheet has been submitted under Section 302 IPC and there is no eye-witness to the alleged occurrence, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Bhojpur at Ara in connection with Ayar P.S. Case No. 80 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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