

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62581 of 2018

Arising Out of PS. Case No.-213 Year-2017 Thana- THAKRAHA District- West Champaran

Santosh Gond, Son of Jangali Gond, Resident of Village- Balua, P.S.-
Bhitaha, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the victim, is languishing in custody since 23.10.2017 in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case as per the written report of Chanchal Gond submitted to SHO, Bitaha Police Station is to the effect that the daughter of the informant, Rima Devi was married to the petitioner about one year five months prior to lodging of the present case. Subsequent to the marriage, there was further dowry demand of a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the daughter



of the informant. It is further alleged that on 16.10.2017, the informant received an information that his daughter has been killed and thereafter, he went to the in-law's house of his daughter and found her dead.

It is submitted by learned counsel for the petitioner that in the background of some altercation between the petitioner and daughter of the informant, she committed suicide. It is further submitted that the petitioner is in custody for more than a year.

Learned APP, after going through the case diary, submits that though certain witnesses have suggested that the victim has committed suicide, but the postmortem report suggests that the death is caused by asphyxia, due to manual throttling and pressure on the upper part of the chest.

Considering the thrust of accusation against the petitioner and the victim died within two years of marriage, coupled with accusation of demand of further dowry of a motorcycle, this Court is not inclined to grant bail to the petitioner in connection with **S.Tr. No.345 of 2018** arising out of **Thakaraha Bitaha P.S. Case No.213 of 2017**, pending in the Court of learned **Additional Sessions Judge-I, Bagaha (West Champaran)**.



However, it is expected from the trial court to expedite the trial.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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