

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69068 of 2018

Arising Out of PS. Case No.-141 Year-2017 Thana- PHULPARAS District- Madhubani

Santosh Kumar @ Santosh Kumar Mandal Son Hari Lal Mandal Resident of
Village-Ekahara,P.S. Phulpras,Distt.-Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 31-01-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 3.1.2018 in a case registered for the offences punishable under Sections 304B, 201 and 120B/34 of the I.P.C.

The prosecution case as per the Fardbeyan of Pradeep Mandal recorded by Ajeet Kumar Choudhary, SI of Police, Phulparas Police Station is to the effect that the daughter of the informant was married with the petitioner about three years prior to the lodging of the case. Subsequently, she was blessed with a female child but after three years of marriage, torture was inflicted by the in-laws family members for non-fulfillment of further demand of dowry. On 25-26.5.2017, the informant received information that his daughter has been killed and the accused persons are disposing of the dead body of his daughter.



When the informant reached on the cremation site then the dead body was recovered.

It is submitted by learned counsel for the petitioner that the victim died a natural death and the informant was being informed about the death of the victim.

Learned APP submits that the post mortem report reflects cause of the death of the victim as strangulation. There is accusation of demand of dowry and due to the non-fulfillment of the same, torture was inflicted upon the victim and she died only after three years of marriage.

Considering the thrust of accusation against the petitioner being the husband of the victim and the accusation being corroborated by the medical opinion, this Court is not inclined to grant bail to the petitioner in connection with Phulparas P.S. Case No.141 of 2017 pending in the Court of the learned ACJM II, Jhanjharpur.

However, let the trial be expedited.

(Dinesh Kumar Singh, J)

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