

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45484 of 2019

Arising Out of PS. Case No.-276 Year-2017 Thana- MANSI District- Khagaria

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Kundan Sah, aged about 25 years, (M), Son of Shankar Sah, Resident of
Village - Balkunda, Baidrabad, P.S.- Mansi, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Kumar, Advocate
For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 11-12-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Mansi P S Case No. 276
of 2017 dated 01.12.2017 instituted under Sections 302/201/34 of
the Indian Penal Code.

3. The petitioner along with six others is accused of
killing the daughter of the informant and burning the body.

4. Learned counsel for the petitioner submitted that the
marriage took place 8-9 years back and there are two children born
out of the wedlock. It was submitted that there was no demand of
dowry and the deceased died due to starvation and also lack of
money for getting medical aid. It was submitted that the petitioner
is in custody since 04.05.2019.



5. Learned APP, from the case diary, submitted that during investigation, it has come that the deceased had gone to her father's house from where the petitioner had brought her back after giving assurance that he would keep her properly and soon thereafter, she has been killed. It was further submitted that the plea of deceased dying due to starvation and lack of money for consulting the doctor is totally unbelievable and in fact, completely false for the reason that every local area has a Primary Health Centre where treatment is given free of cost including medicines and, thus, it is clear that the deceased died an unnatural death for which it was required of the petitioner to inform the concerned police, which was not done.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Vikash/Ranjit

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