

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48507 of 2019**

Arising Out of PS. Case No.-210 Year-2010 Thana- HATHAURI District- Muzaffarpur

RAJESH KUMAR SINGH Son of Mahendra Singh Resident of Village-
TaraJiwar, P.S. - Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prem Ranjan Raj, Advocate.
	:	Mr. Shyam Nandan Thakur, Advocagte.
For the Opposite Party/s	:	Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 20-11-2019 Heard learned counsel for the parties.

The petitioner is in custody in connection with Muzaffarpur, Hathauri P.S. Case No. 210 of 2010 (G.R. No. 4295/2010) registered for the offence punishable under Section 304 (B) of the Indian Penal code.

The petitioner is husband of the deceased and he is in custody since 22.05.2019. The deceased died within seven years of her marriage as alleged in the F.I.R. Demand of dowry has also been alleged in the F.I.R.

It is submitted on the behalf of the petitioner that there is no specific allegation, referring to the period and the point of time when the said demand of dowry was made and there is no allegation that soon before the death of the deceased, such



demand was made.

Case diary has been called for which is available. Learned Addl. Public Prosecutor referring to the materials available in the case diary has submitted that the family members of the informant have supported the case of the prosecution of demand of dowry.

As there is allegation against the petitioner and his family member of commission of offence under Section 304 (B) of the I.P.C. and the charge-sheet has been submitted, no purpose would be served, if the petitioner is allowed to remain in custody any more, learned counsel for the petitioner has contended.

Considering the facts of the case and the nature of allegation, this application is allowed. Let the petitioner named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned ACJM, 10th, Muzaffarpur, in connection with Hathauri P.S. Case No. 210 of 2010 (G.R. No. 4295/2010).

(Chakradhari Sharan Singh, J)

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