

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54720 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- SAKRI District- Madhubani

SAGAR DAS Son of Kailash Das Resident of Village - Purani Bazar Sakari
Lauwa Kothi, P.S.- Sakri, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali, Adv.
Mr. Rakesh Kukar Ranjan, Adv.
Ms. Kusum Rani, Adv.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-11-2019 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 22.06.2019 in a case registered for the offences punishable under Section 304B/34 of the Indian Penal Code.

The accusation is of killing the daughter of the informant after six years of marriage for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the daughter of the informant. In fact, the petitioner was not present at the place of occurrence, on the alleged date, and in this respect, he produced his Air ticket, boarding pass of journey from Mumbai to



Ranchi before the learned Court below which gets reflected from the impugned order, but deliberately, the investigating officer has not investigated the same. Though the post-mortem report of the victim reflects that the cause of death due to asphyxia caused by strangulation and ligature mark has been found around the neck.

Learned APP for the State after going through the case diary submits that the investigating officer did not verify this fact whether the petitioner was present on the place of occurrence on the alleged date of occurrence or not.

Considering the fact the investigation has already been concluded and the investigating agency has not investigated the fact of presence of the petitioner at the place of occurrence on the alleged date of occurrence, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani, in connection with Sakri P.S. Case No. 161 of 2018.

(Dinesh Kumar Singh, J)

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