

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57711 of 2019**

Arising Out of PS. Case No.-449 Year-2018 Thana- GHORASAHAN District- East  
Champaran

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ALOK KUMAR, aged about 25 years (M), Son of Hari Singh, Resident of  
Village-Sathaura, P.S.-Jitna (Ghorasahan), District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.  
For the Opposite Party : Mr.Amitesh Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      12-09-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in a case for the offence  
registered under Sections 304(B) and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 06.05.2017,  
the informant married his daughter Annu Kumari @ Pinki with  
Alok Kumar (petitioner). At the time of marriage, he had given  
ornaments, clothes, furniture, Motorcycle and house hold  
articles worth Rs. 10,00,000/- to the petitioner. After some days  
of marriage, the conduct of members of matrimonial house are  
normal, thereafter, her husband Alok Kumar, father-in-law Hari  
Singh, mother-in-law Sunita Devi, sister-in-law Pinki Kumari  
and maternal uncle of Alok Kumar, Anil Singh started



demanding Alto Car and Rs. 2,00,000/- for running business. He has not fulfilled the said demand, as a result of which, accused persons tortured his daughter and assaulted her. His daughter informed him about the said incident on phone and also stated that if demand of dowry is not fulfilled then accused persons might have killed her. On 11.11.2018, relatives informed that accused persons spread the Kerosene Oil on his daughter's body and set her on fire. When protest raised by the relatives, accused persons admitted his daughter in Mani Hospital, Motihari in unconscious position, the whole body of his daughter was burnt and on 16.11.2018 at 7.A. M., she died.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 03.12.2018. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is the husband of the deceased. The informant has filed a petition in the court of learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, where he has retracted from his earlier statement made in the F.I.R., vide Annexure-2 to the present application.



The present case has been instituted due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, in connection with Ghorasahan P.S. Case No. 449 of 2018.

**(Sudhir Singh, J)**

U.K./-

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