

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61461 of 2019

Arising Out of PS. Case No.-53 Year-2019 Thana- PATEPUR District- Vaishali

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KAMENDRA JHA @ KAMINDRA JHA Son of Late Dev Chandra Jha
Resident of Village - Bajitpur, Kumar, P.S.- Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 304B/34 and 201 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.6.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no circumstantial



evidence to suggest the participation of the petitioner in the present case. In paragraphs 18, 19 and 29 of the case diary, the witnesses have stated that deceased is said to have committed suicide. Hence, no offence under Section 304B IPC is made out. At best, it is a case for offence under Section 306 IPC.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 53/19.

(Sudhir Singh, J)

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