

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52835 of 2018

Arising Out of PS. Case No.-59 Year-2018 Thana- SONO District- Jamui

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Bidesi Das S/o Babulal Das, resident of Village- Rajaun, P.S. Charkapathar,
District Jamui. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Opposite Party/s : Mr. Anzarul Haque Sahara

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 09-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sono P.S. Case No. 59 of
2018 registered under Section 304-B of the Indian Penal Code.

The petitioner, who happens to be husband of the
deceased, is said to have demanded motorcycle in dowry and
subjected the deceased to various sorts of torture on the
aforesaid demand and eliminated her by administering her
poison in association of his family members.

It is submitted by learned counsel for the petitioners
that no such occurrence as alleged ever took place. The
petitioner is quite innocent and has been falsely implicated in
this case. As a matter of fact, the doctor has not found any
external injury on the person of the deceased. I.O. after
investigation of the case has found the offence made out under



Section 306 of the Indian Penal Code but, later on, submitted the chargesheet under Section 304-B/34 of the Indian Penal Code. Petitioner has been languishing in custody since 16.03.2018.

On the other hand, it is submitted by learned counsel for the informant as well as learned APP for the State that the petitioner used to torment the deceased over the dowry demand of motorcycle. He had also made the said demand one day preceding to the occurrence and eliminated the deceased by administering poison in association of his family members. It is further submitted that the F.S.L. report, of viscera of the deceased, indicates that the deceased died due to highly poisonous pesticides, namely, Thimate, found in her viscera.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Prakash Chandra Jaiswal, J)

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