

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72603 of 2018

Arising Out of PS. Case No.-474 Year-2018 Thana- NAWADA District- Nawada

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Krishna Kumar Sudhakar son of Suresh Choudhary, resident of Village-
Gondapur Choudhary Tola Santinager, P.S. Nawada Town, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr.Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 31-01-2019 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 21.07.2018 in a case registered
for the offences punishable under Sections 304B/498A/34 of
the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan
of Arbind Kumar Chaudhary, recorded by S.I. Rani Babita
Kumari, Town Police Station, Nawada on 13.07.2018 at 9.00
A.M., is to the effect that the informant's daughter Supriya



Kumari @ Priyanka Kumari was married with the petitioner in the year 2013 and subsequently, a male child was born. It is further alleged that after few days of the marriage, there was further dowry demand of a motorcycle and Rupees Five Lac and due to non-fulfillment of the same, torture was inflicted upon the daughter of the informant. On 13.07.2018, the informant received the information that his daughter has been killed by her in-laws family members. After having received such information, the informant reached to the in-laws house of his daughter and found her daughter's dead body when the in-laws people were not present there. Hence, it is alleged that the victim was strangled to death.

It is submitted by learned counsel for the petitioner that the accusation of demand of dowry immediately after the marriage and persisting of said demand after five years of marriage appears to be unreasonable and unbelievable. It is further submitted that a quarrel took place between the victim and the petitioner and thereafter, the victim committed suicide. In fact, the petitioner was not present in the house at the time of alleged incident. The postmortem suggests only presence of ligature mark around the neck and no other resisting injury on the dead body of the victim which suggests that she committed



suicide. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the informant and APP for the State after going through the case diary submits that some witnesses have suggested that the petitioner had a quarrel with the victim in the afternoon and this fact has also been supported by a mason, who was working in the in-laws house of the victim on the alleged date of occurrence and the postmortem suggests the death by hanging.

Considering the fact that the postmortem does not suggest any resisting injury on the dead body of the victim except the ligature mark around the neck which suggests mere case of suicide and the investigation has already been concluded, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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, Nawada, in connection with Nawada Town P.S. Case No. 474 of 2018.

However, the learned court below will be at liberty to



cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions.

(Dinesh Kumar Singh, J)

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