

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84036 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- BHAPTIAHI District- Supaul

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RAMESH MUKHIYA Son of Dukha Mukhiya Resident of Village -
Sadanandpur, P.S.- Bhaptiyhi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bidhan Chandra Jha

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioner being the husband of the victim is languishing in custody since 16.3.2019 in a case registered for the offences punishable under Sections 304B/34 of the I.P.C.

The prosecution case as per the written report of Bidyanand Mukhiya submitted to the SHO, Bhaptiyahi Police Station is to the effect that the sister of the informant, namely, Nitu Devi was married with the petitioner about seven years ago but subsequent to the marriage there was a demand of further



dowry of Rupees Two Lacs and a motorcycle and due to non-fulfillment of the same, the entire in-laws family members inflicted torture upon the victim. On 3.3.2019 the victim went to her matrimonial house and on 14.3.2019 at 7.00 P.M. the informant came to know that her sister has been killed.

It is submitted by learned counsel for the petitioner that on own admission of the informant that the marriage was performed seven years prior to the lodging of the case, the case does not come under the purview of Section 304B of the IPC. It is further submitted that charge sheet has been submitted under Section 306 of the IPC. In fact, the victim committed suicide and ligature mark was found around her neck. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the thrust of accusation is against the petitioner.

Considering the fact that the investigation has already been concluded, charge sheet submitted under Section 306 of the IPC, statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent and the period in custody, let the petitioner above named 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 the learned
Sessions Judge, Supaul in connection with Bhaptiyahi P.S.
Case No.17 of 2019.

(Dinesh Kumar Singh, J)

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