

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.332 of 2020

Arising Out of PS. Case No.-553 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

SADAN KUMAR, S/o Shyamu Sah, R/o village- Saidra, P.S.- Bhabua,
District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-05-2020 This has been posted before me for hearing through video-conferencing, under the orders of Hon'ble the Chief Justice, in view of Nation passing through lockdown as an aftermath of the outbreak of COVID-19 pandemic.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 304 (B)/34 of the Indian Penal Code.

Allegation against the petitioner is that he killed the deceased due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that from perusal of the FIR it is clearly evident that no specific allegation of demand of torture is alleged against the petitioner nor hand in the death of the deceased and the entire allegation is vague and general and omnibus in nature. The fact is that deceased died due to snake-bite resulting in her death for which the information was



given to informant and accordingly the informant and family members of the deceased come on 14.09.2019 and in his presence post mortem was held and he took part in the funeral, but after 02 days i.e. on 16.09.2019, the instant case was lodged by the informant upon the instigation of his relatives and villagers reason best known to the informant. The date of occurrence is 14.09.2019 and the instant case was lodged on 16.09.2019 which was placed before the learned CJM, Kaimur, Bhabhua on 18.09.2019.

Learned APP for the State has submitted that the petitioner is the husband of the deceased.

Considering the entire facts of this case and nature of material against the petitioner, let the petitioner, above named, be released on bail only after framing of charge against the petitioner, on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with Bhabhua P.S. Case No. 553 of 2019 to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabhua.

Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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