

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7286 of 2020

Arising Out of PS. Case No.-113 Year-2019 Thana- DORIGANJ District- Saran

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Batul Kumar Son of Ashok Rai Resident of Village- Singahi, Salempur, P.S.-
Doriganj, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-06-2020 The matter has been taken up through virtual

Court proceeding.

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner being husband of the victim is

languishing in jail since 15.09.2019 in a case registered

for the offences punishable under Sections 304(B)/34 of

the Indian Penal Code.

The prosecution case as per the written report

of Lalan Rai submitted to the SHO, Doriganj Police

Station is to the effect that niece of the informant Renu

Kumari was married with the petitioner in the year 2016.



For around one and a half year, she was kept with dignity, during which she was blessed with a child but thereafter, further dowry demand of rupees one lakh was made and for non-fulfillment of the same, torture was inflicted upon her. On 03.07.2019, the informant received an information that his niece has committed suicide. The informant then went to the in-laws' house of his niece and found her dead body with the injury marks on her body.

Learned counsel for the petitioner has submitted that accusation of demand of dowry after one and half year of marriage is absolutely baseless and the victim has committed suicide, as except one ligature mark on her neck, no other injury has been found on her body. Moreover, the investigation has already been concluded.

Learned counsel for the State submits that thrust of accusation is against the petitioner.

Considering the fact that the death occurred



after three years of marriage and only ligature mark was found on the neck and the investigation been concluded, let the petitioner, above named, be released on bail, for the present, provisionally for a period of three months on furnishing one surety to the satisfaction of learned Chief Judicial Magistrate, Chapra, Saran in connection with Doriganj P.S. Case No. 113 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-Mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Chapra, Saran in connection with Doriganj P.S. Case No. 113 of 2019 including one surety given at the time of provisional bail.

The learned Court below will be at liberty to further extend the period of provisional bail if the Court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

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