

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12855 of 2020**

Arising Out of PS. Case No.-93 Year-2019 Thana- PIRO District- Bhojpur

RAJ KISHORE SINGH Son of Shais Nath Singh Resident of Village - Amai,  
P.S.- Piro (Hasan Bazar), Distt - Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Y.C.Verma, Sr. Advocate

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta, aPP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

3      10-07-2020                      Heard learned Senior Counsel appearing for the  
petitioner as well as learned Additional Public Prosecutor for the  
State through video conferencing.

Petitioner is in jail custody since 14.6.2019 in Piro  
P.S. Case No. 93/2019 registered for the offences punishable  
under Sections 302, 201 and 34 of the Indian Penal Code.

Initially, the informant filed complaint case, which  
was converted in the above stated Piro P.S. Case No. 93 of 2019.  
Petitioner happens to be the husband of victim and on 6.9.2018,  
the informant got information that petitioner and his other  
family members committed the murder of victim on account of  
non-fulfillment of illegal demand.

The informant lodged complaint case on 4.10.2018  
with explanation that after getting information of murder of her  
daughter, she approached the concerned police station but her



case was not lodged. The informant, further, claimed that prior to institution of the present case, the victim had lodged Piro P.S. Case No. 265/2016 for the offences punishable under Sections 323, 498A, 504/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act against the petitioner as well as others.

Learned counsel appearing for petitioner submits that police, after investigation, submitted chargesheet against the petitioner for the offences punishable under Sections 304B/201/34 of the Indian Penal Code. He, further, submits that there is nothing in the case diary to show that the victim died at her matrimonial home. He, further, submits that according to the prosecution case itself, the dead body of the victim was not recovered. He, further, submits that, no doubt, prior to institution of the present case, victim had lodged Piro P.S. Case No. 265/2016 against the petitioner and others but the aforesaid fact goes to show that the relation of victim with petitioner was not cordial and it is a matter of common sense that after institution of Piro P.S. Case No. 265/2016, the victim could not have resided at her matrimonial home.

Although the learned Additional Public Prosecutor opposed the prayer but considering the aforesaid facts and



circumstances as well as submissions of the parties and also taking note of period of detention of petitioner in jail 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Piro(Hasan Bazar) P.S. Case No. 93/2019.

**(Hemant Kumar Srivastava, J)**

Spd/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

