

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14531 of 2020

Arising Out of PS. Case No.-1123 Year-2019 Thana- KANKARBAG District- Patna

SHANKAR KUMAR @ PANKAJ KUMAR @ SHANKAR Son of Late
Rabindra Sao Resident of Village-Ashok Nagar, Road No.4, P.S.-Kankarbagh,
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 03-06-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through video
conferencing.

The petitioner seeks regular bail in connection with
Kankarbagh Police Station Case No. 1123 of 2019, registered
for the offences punishable under Section 304-B/34 of the
Indian Penal Code.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner was married to the
deceased in the year 2011 and immediately after the marriage,
the petitioner, along with other co-accused persons, started
abusing and torturing her, physically and mentally, for demand
of dowry. It has further been alleged that on 23.11.2019, at



about 11 pm, the informant got a call from the petitioner who called him at the P.M.C.H., Patna, and when the informant reached the hospital, he found the dead body of his daughter.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged inasmuch as the marriage was solemnized in the year 2011 and the occurrence has taken place after a lapse of more than 7 years. He further submits that in fact, the deceased was suffering from depression inasmuch as she was issueless and in the year 2018, when she had conceived, her eight-months pregnancy got aborted. He, referring to paragraphs 7, 8 and 9 of the case diary, submits that in paragraph 7, the landlord of the petitioner and the deceased has categorically stated that he did not notice any quarrel between the petitioner and the deceased for the last two years. He, referring to Annexure 3, submits that the police have submitted charge sheet under Section 306/34 of the Indian Penal Code and not under Section 304-B/34 of the Indian Penal Code. He further submits that the post mortem examination report suggests that the deceased died due to asphyxia caused by hanging.

After having heard learned Counsel for the parties and taking into consideration the fact that the police have submitted



charge sheet under Section 306/34 of the Indian Penal Code, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Kankarbagh Police Station Case No. 1123 of 2019.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

