

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15986 of 2020

Arising Out of PS. Case No.-380 Year-2019 Thana- GRIYAK District- Nalanda

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DHUPESH GOSWAMI @ MUKESH GOSWAMI Son of Pramod Goswami
Resident of Village - Sakuchi-Sarai, P.S.- Giriyak, District- Nalanda.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Devendra Kumar Sinha, Senior Advocate.
For the State : Mr. Shyameshwar Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 13-10-2020 Heard learned Senior counsel for the petitioner and

the learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Giriyak
P.S. Case No.380 of 2019 registered under Sections 201 and
304(B)/34 of the Indian Penal Code.

The accusation is that the informant Nakul Nath
Goswami performed the marriage of his daughter Savita Devi
alias Nitu Devi with the petitioner in the year 2013 according to
Hindu Customs and, thereafter, the daughter of the informant
went to her Sasural with the gifted articles. While the daughter
of the informant was kept properly at her Sasural by her
husband and in-laws for some days but, thereafter, she was
being tortured by them for demand of cash Rs.1,00,000/- and a



motorcycle in dowry through various modes regarding which information was given to the informant by his daughter. Thereafter, the informant made attempt to pacify the dispute with the Sasural people of his daughter by accepting his mistake and the Sasural people of his daughter assured him to keep his daughter properly. In the meantime, the daughter of the informant was blessed with three female issues but despite that, she was being tortured. On 01.11.2019, the informant received information about the illness of his daughter, then he along with his other family members went to the Sasural of his daughter, where he came to know that his daughter has been killed by burning through gas cylinder. While the informant wanted to see the dead body of his daughter but the same was not shown to him by the Sasural people of his daughter. The informant claimed that his daughter has been killed by her husband (petitioner) and other in-laws for non-fulfillment of the dowry demand by burning through gas and they concealed her dead body.

Learned Senior counsel appearing on behalf of the petitioner submits that the marriage of the daughter of the informant was performed with the petitioner in the year 2013 and the present occurrence is said to be of 01.11.2019, i.e.,



about after six years of the marriage of the daughter of the informant. In fact, in course of cooking the meal on the gas, the daughter of the informant sustained burn injury and, thereafter, while she was being taken to hospital for treatment at Patna, she died in the way and her dead body was cremated at Patna but with an ill motive, the informant has lodged the present case. Further submission is that the independent witnesses in paragraphs-10, 11 and 12 of the case diary have stated that the deceased, the wife of the petitioner/ daughter of the informant sustained burn injury in course of cooking the meal on the gas. The petitioner is in custody since 28.11.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Giriyak P.S. Case No.380 of 2019.

(Rajendra Kumar Mishra, J)

P.S./-

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