

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25074 of 2020

Arising Out of PS. Case No.-137 Year-2018 Thana- CHANDI District- Bhojpur

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SANTOSH SINGH @ SANTOSH KUMAR S/o Nagendra Singh Resident of
Village-Ramdihal Tola, P.S-Chandi, District-Bhojpur (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr. Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-10-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Chandi P.S. case No. 137 of 2018, corresponding to Sessions Trial No. 07/2020, registered u/s 304B/34 of the IPC.

The informant alleged that his sister was married with petitioner five months ago and only after two months of marriage the petitioner and his family members started torturing his sister due non fulfillment of demand of additional dowry. The informant got information on 14.11.2018 that his sister was done to death by strangulation.

The learned counsel for the petitioner submits that, of course, the petitioner is husband of the deceased and the



petitioner was married with the deceased only a few months ago but the petitioner never tortured his wife. The wife of the petitioner was ill from before her marriage and she suddenly died. The doctor who held the post mortem report on the dead body of deceased found no external or internal injury. Viscera was kept preserved. The doctor opined that possible cause of death is cardiac respiratory failure, therefore, the petitioner deserves bail.

It appears from the records that, of course, the informant and other witnesses have stated that petitioner being the husband of the deceased subjected his wife to physical and mental torture and the petitioner and other accused persons strangled the sister of the informant to death but from perusal of the post mortem report it appears that there is no ligature mark around the neck of the deceased. The doctor who held post mortem report did not find any external or internal injury and opined that the possible cause of death is cardiac respiratory failure and not on account of any assault or torture by the petitioner and others.

Considering the facts aforesaid and the fact that petitioner is in custody since 20.08.2019, the petitioner, above named, is directed to be enlarged on bail on his furnishing bail



bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Bhojpur, Ara in connection with Chandi P.S. case No. 137 of 2018, corresponding to Sessions Trial No. 07/2020.

(Prabhat Kumar Jha, J)

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