

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33123 of 2020**

Arising Out of PS. Case No.-35 Year-2019 Thana- VIJAYEPUR District- Gopalganj

SANTOSH TURAHA Son of Yogi Turha Resident of Village - Chikwaliya,
P.S.- Bijaipur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mr.Parmanand Kumar (APP)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 14-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Vijaipur P.S. Case No. 35 of 2019 registered for the offence
punishable under Sections 304 (B) and 302 (a) of the Indian
Penal Code read with Section 3/4 of the D.P. Act.

Petitioner is younger brother of the husband of the
deceased, who is in custody since 22.01.2020, in connection
with the aforementioned case. Allegedly, the informant's
daughter was married to the petitioner's elder brother, nearly
five years before the date of occurrence. There is allegation also
against the petitioner's family members of demand of dowry.

Learned counsel appearing on behalf of the petitioner



has submitted that the allegation in the F.I.R., does not indicate that soon before the date of death, there was any demand for dowry. He has submitted that the allegation of demand of dowry is vague against all the members of the family. He has further submitted that the petitioner being younger brother of the husband of the deceased, was not in a position to make a demand for dowry. As the charge-sheet has been submitted, no purpose would be served, if the petitioner is allowed to remain in jail, any further, he contends.

Considering the above noted submission, particularly the fact that the petitioner is in custody since 22.01.2020, this application is allowed.

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 the learned 3rd Addl. Session Judge, Gopalganj in Vijaipur P.S. Case No. 35 of 2019.

(Chakradhari Sharan Singh, J)

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