

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33160 of 2020

Arising Out of PS. Case No.-652 Year-2019 Thana- SUPAUL District- Supaul

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MOHAN SAH @ MOHAN KUMAR SAH S/O Late - Chalitra Sah @
Charittar Sah R/O Village - Barail Ward No. -04, P.S. and District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Anand Mohan Pd. Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-12-2020 Heard learned counsel for the parties.

This application for regular bail in connection with S.T. No. 428 of 2019, arises out of Supaul P.S. Case No. 652 of 2019, disclosing offence punishable under Sections 304-B, 201, 34 of the Indian Penal Code.

The petitioner is the husband of the deceased. Sister of the deceased is the informant. On perusal of the FIR, it transpires that there is no allegation of demand for dowry. A suspicion has been raised in the FIR that the petitioner and his family members might have killed the deceased and got the dead body disappeared. The petitioner is in custody since 29.09.2019.

On the basis of what has been alleged in the FIR, no



offence under Section 304-B of the IPC can be said to be made out, in the absence of any allegation of demand for dowry. It has been stated that the deceased had committed suicide and she was brought to a private hospital for treatment on 27.09.2019 but she could not survive.

Be that as it may, considering the circumstance that no offence under Section 304-B of the IPC can be said to be made out on the basis of what has been alleged in the FIR, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Additional District and Sessions Judge-IV, Supaul, in S.T. No. 428 of 2019, arises out of Supaul P.S. Case No. 652 of 2019.

It is directed that defects in the application pointed out by the Registry must be removed within two months from today.

(Chakradhari Sharan Singh, J)

Rajesh/-

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