

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62188 of 2019

Arising Out of PS. Case No.-36 Year-2018 Thana- RIGA District- Sitamarhi

SONU PATEL S/o Chandrika Patel R/o village- Bhawadepur, P.S.- Riga,
District- Sitamarhi Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 13-01-2020 Pursuant to order dated 16.12.2019 Sri Raj Karan Thakur the first Investigating Officer who has already retired from service and Sri Ramchandra Prasad who had conducted investigation for two months are present in person.

A report from the office of the Superintendent of Police, Sitamarhi kept at flag 'A' is available on the record and this Court has gone through the same.

It appears from the reading of the said report that explanation has been called for from the Sub-Inspector of Police, Updesh Singh as he is said to have been the Investigating Officer responsible for annexing the suicide note without examining the same.

In the aforesaid view of the matter, the personal appearance of Raj Karan Thakur and Sri Ramchandra Prasad is dispensed with.



The petitioner in the present case is seeking regular bail in connection with Riga P.S. Case No. 36 of 2018 registered for the offence punishable under Section 304 (B)/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the victim had written a suicide note in which she has stated that she had been committing suicide because she cannot become a mother. It is his submission that this petitioner has not committed any act or omission leading to such suicide and that in course of evidence no independent witness has come forward to support the allegation. The petitioner is said to be in custody since 25.03.2019.

Learned APP has opposed the prayer of regular bail of the petitioner. It is submitted that the petitioner is the husband, the marriage had taken place only in the year 2017 and within one year of the marriage the daughter of the informant was found dead in his matrimonial home. It is submitted that within such an early time gap between the marriage and the death of the daughter of the informant, the submission that she had committed suicide because she could not have become mother is not worth acceptable.

Learned counsel for the petitioner has referred to the



post mortem report as well saying that ligature mark has been found around the neck which shows that she died due to hanging and therefore, it is a case of suicide.

Considering the facts and circumstances of the case, the facts appearing from the record wherein it appears that the marriage between the daughter of the informant and this petitioner had taken place only in the year 2017 and within few months from the said marriage the daughter of the informant was reported dead, the allegation is that she was tortured and for not fulfillment of demand of dowry, she was killed and then attempt was made to give it a colour of suicide, the petitioner being husband, at this stage, I am not inclined to grant regular bail to the petitioner. The prayer is refused.

Let the trial be expedited and the trial court shall proceed with the case without granting unnecessary adjournment.

(Rajeev Ranjan Prasad, J)

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