

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75399 of 2019

Arising Out of PS. Case No.-988 Year-2016 Thana- SAHARSA District- Saharsa

DEO NARAIN SAH Son of Late Ramjee Sah Resident of Village - Ghandhi
Path Saharsa, P.S. and dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 04-06-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Saharsa P.S. Case No. 988 of 2016, disclosing offence punishable under Sections 304-B/34 of the Indian Penal Code.

The petitioner is father-in-law of the deceased. The marriage between son of the petitioner and the deceased was solemnized in 2012. Allegedly, the petitioner and other named accused persons had killed the deceased, as she was not in a position to move after giving birth to a female child, three months before the date of occurrence.

On perusal of the FIR, it can be easily seen that there is no allegation of demand of dowry at all, much less, soon before the death of the deceased. In my opinion, *prima facie*, no



offence under Section 304-B of the IPC can be said to be made out. There is no concrete basis for the informant to allege that the petitioner and the family members had killed the deceased.

Considering the nature of allegation, 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 Chief Judicial Magistrate, Saharsa in Saharsa P.S. Case No. 988 of 2016.

(Chakradhari Sharan Singh, J)

Rajesh/-

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