

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64917 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- BARGAINIA District- Sitamarhi

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Pritam Sah, Son of Dhaermdev Sah Resident of Village - Jamua Tola,
Pakariya @ Jamua, P.S.- Bairagania, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok- Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh- A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

6 02-11-2020 Heard learned counsel appearing for the petitioner

as well as learned Additional Public Prosecutor appearing for

the State through video conferencing.

Petitioner is in custody and seeks bail in connection
with Bairagania P. S. Case No.27 of 2019 registered for the
offences punishable under Sections 304(B), 201/34 of the I.P.C.
and Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the victim and
according to prosecution case, the marriage of petitioner with
victim was solemnized two years ago and, subsequently, victim
was subjected to cruelty and harassment on account of non-
fulfilment of illegal demand. However, informant claimed in his
written report that on 27.01.2019, he got telephonic message



that victim was killed by petitioner and other in-laws.

The perusal of case diary goes to show that the dead body of victim has not been recovered as yet. Furthermore, it is an admitted position that the petitioner surrendered before the concerned Court on 12.06.2019 and, since then, he has been languishing in jail custody. It is pertinent to note here that the Investigating Officer did not take pain to record the statement of petitioner though he was in custody and without recording the statement of petitioner, I.O. submitted charge-sheet against him.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, 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, Sitamarhi in connection with Bairagania P. S. Case No.27 of 2019.

(Hemant Kumar Srivastava, J)

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