

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81647 of 2019

Arising Out of PS. Case No.-165 Year-2019 Thana- SONBERSA District- Sitamarhi

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DHIRAJ SAH @ DHIRAJ KUMAR Son of Satrudhan Sah Resident of
Village - Mudhiya, Ward No.- 6, P.O. - Singhwahini, P.S.- Sonbarsa, Distt -
Sitamarhi.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Navin Kumar Sinha, Advocate.

For the State : Mr. Chandra Sen Prasad Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection
with Sonbarsa P.S. Case No.165 of 2019 registered under
Section 304(B) of the Indian Penal Code.

The accusation is that the informant Gayatri Devi
performed the marriage of her daughter Usha Devi with the
petitioner in the year 2015 and her daughter went to her sasural
with gifted articles. Thereafter, the daughter of the informant
was blessed with a male child but she was being tortured by her
husband (petitioner) and other in-laws for demand of cash
Rs.20,000-30,000/- and a motorcycle. The daughter of the
informant had come to her house and, thereafter, her husband



(petitioner) came to the house of the informant and took the daughter along with the grandson of the informant on 04.07.2019 at about 02.00 P.M. in Bidai boarding on the motorcycle. After twenty minutes, the informant received information about the accident of the motorcycle and receiving the injuries by her daughter, who was taken to the Nursing Home of Dr. Varun Kumar at Sitamarhi for treatment. On seeing the condition of the daughter of the informant, the daughter of the informant was taken to Muzaffarpur and, again, she was rushed to Uma Hospital, Kankarbagh, for treatment but the daughter of the informant died in course of treatment on 05.07.2019.

Learned counsel for the petitioner submits that, in fact, the petitioner is the husband of the daughter of the informant and he had gone to take his wife, the daughter of the informant, along with his son in Bidai at her Maika and after taking his wife along with son in Bidai on a motorcycle, when he was returning, the motorcycle met with an accident in which the daughter of the informant sustained injuries. While the daughter of the informant was rushed to the hospital but she died in course of treatment. Further submission is that in course of investigation, the aforesaid facts have also been disclosed by



the witnesses, namely, Basudeo Paswan and Dharmendra Mandal, in their statements, as detailed in paragraphs-7 and 8 of the case diary.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No.165 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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