

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86836 of 2019**

Arising Out of PS. Case No.-342 Year-2018 Thana- CHANDI District- Nalanda

Rajvir Kewat @ Pandit Ji Son of Suresh Kewat Resident of Village - Bigha,
P.S.- Chandi, Distt - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

4 05-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, being the husband of the victim, who is languishing in custody since 19.11.2018, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 304B/34 of the IPC.

The prosecution case, as per the written report of Pano Devi, submitted to the S.H.O., Chandi Police Station is to the effect that the marriage of the daughter of the informant, Jaimala Devi was performed with the petitioner in the year 2017. Consequently, they were blessed with a male child. Subsequently, the daughter of the informant was being tortured



for non-fulfillment of further dowry demand of Rs. 10,000/-. On 21.10.2018, the informant received a telephonic message that her daughter has been killed by her in-laws family members including the petitioner.

It is submitted by learned counsel for the petitioner that the accusation of demand of dowry of only Rs. 10,000/- appears to be unreasonable. The postmortem report does not reflect any internal or external injury on the dead body of the victim, moreover, the cause of death has not been ascertained, hence the viscera has been preserved but without obtaining F.S.L., report, the chargesheet has mechanically been submitted. It is further submitted that the informant came to know about the alleged occurrence on 21.10.2018, when the postmortem was conducted on 22.10.2018 and the case was lodged/registered on 23.10.2018. Investigation has already been concluded and a statement has been made in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

Learned APP submits that the thrust of accusation is against the petitioner, being the husband of the victim and the victim died within two years of the marriage.

Considering the fact that postmortem report does not suggest any injury, even resisting injury on the body of the



victim, period under custody and the fact that investigation has already been concluded, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned 3rd Additional Sessions Judge, Hilsa, Nalanda in connection with S. Tr. No. 521 of 2019, arising out of Chandi P.S. Case No. 342 of 2018.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Hilsa, Nalanda in connection with S. Tr. No. 521 of 2019, arising out of Chandi P.S. Case No. 342 of 2018.

The learned Court below will be at liberty to extend



the further period of provisional bail if the lockdown is not over
in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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