

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30953 of 2021**

Arising Out of PS. Case No.-223 Year-2018 Thana- SISWAN District- Siwan

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AJAY SINGH Son of Late Ramashankar Singh Resident of Village - Bakhari,
P.S.- Siswan, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Deepika Sharma, Advocate
For the State : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 13-12-2021 Heard Ms. Deepika Sharma, learned counsel for the

petitioner and Mr. Akshay Lal Pandit learned Additional Public

Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Siswan P.S. Case No. 223 of 2018 registered for the offences
punishable under Sections 328, 304B & 34 of the Indian Penal
Code 1860.

The allegation as per the First Information Report is
that the sister of the informant was married to the petitioner in
the year 2018 and after marriage, the accused persons named in
the First Information Report, started demanding a sum of
Rs.2,00,000/- as dowry and due to non-fulfillment of the said
demand, the sister of the informant has been killed. It has
further been alleged that on 29.10.2018 the elder brother of the



petitioner informed the informant on his Mobile that his sister was bitten by a snake.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. Learned counsel further submits that from perusal of the First Information Report it would be evident that there is no allegation of demand of dowry and torture against the petitioner and he has not even been made accused in the First Information Report. She also submits that at the time of occurrence, the petitioner was residing in Gujarat for earning his livelihood. Learned counsel referring to Annexure-2 submits that from perusal of the photograph of the deceased, it would be evident that there is clear sign of snake bite near the ankle of the deceased and in the postmortem, the cause of death could not be ascertained and viscera has been kept reserved for forensic examination. The petitioner is in custody since 7.2.2021.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner is not named in the First Information Report, there is no specific allegation against the petitioner that he demanded any dowry and tortured the deceased prior to the



occurrence and on the date of occurrence the petitioner was not present in his house, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Siwan, in connection with Siswan P.S. Case No. 223 of 2018.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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