

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28536 of 2022

Arising Out of PS. Case No.-235 Year-2021 Thana- SHAHKUND District- Bhagalpur

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SUNIL DAS S/o Bhumeshwar Harijan R/o village- Satparia, P.S.- Shahkund,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

As per prosecution case, in brief, is that the informant's daughter Rupa Devi was married about 4 years ago with Sunil Das. After marriage, the accused persons always used to demand Rs. 1,00,000/- for construction of house and also a motorcycle as dowry from her. The informant's daughter blessed with a child with the said wedlock. It is alleged that



when the informant's daughter showed her inability in fulfilling the demand of accused persons, then the accused persons started torturing her. On the occasion of Raksha Bandhan festival, the informant's daughter came to her parental house. Thereafter, on 25.08.2021 when the informant's son along with the informant's daughter were going to the matrimonial house of informant's daughter then in the way the husband of the informant's daughter and his friends, named in the F.I.R. surrounded them and started assaulting the informant's son with fist and slap and Sunil Das took the informant's daughter and her child with him and went away. It is further alleged that in the night the accused persons killed the informant's daughter Rupa Devi by sharp cutting weapon. In the next morning when the informant's son went to the matrimonial house of informant's daughter to see her then he found that the informant's daughter Rupa Devi and her child Bittu Kumar were lying dead and thereafter he informed the informant.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that on the basis of suspicion the petitioner has been falsely implicated in the present case and there is no eye witness to the alleged



occurrence. The petitioner is in custody since 25.08.2021.

Learned APP for the State on the basis of case diary as well as the material available on record has opposed the prayer for bail of the petitioner and submits that the sufficient material has come against the petitioner during investigation and the present case is doubled crucial murder and the petitioner is husband and father of the deceased.

In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Shahkund P.S. Case No. 235 of 2021 pending in the Court of learned Additional Chief Judicial Magistrate-II, Bhagalpur. Prayer is refused.

(Rajesh Kumar Verma, J)

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