

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45810 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- MALI District- Aurangabad

SANGRAM SINGH S/o Kanhai Singh @ Kanhaiya Singh R/o village and
P.S.- Mali, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

04 03-03-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who was married to the petitioner herein was regularly beaten up and tortured for nonfulfilment of demand of dowry. She was ultimately done to death by the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. Even the material that has transpired in course of investigation do not make out a case under section 304B of the Indian Penal Code against the petitioner. On submission of



chargesheet, it submitted that learned Court below differed with the final report and by order dated 16.10.2020 has taken cognizance only under section 306 of the Indian Penal Code. Learned counsel for the petitioner relies on the submission made in paragraph no.7 of the petition and submits that as an error has been committed in not annexing the proper order as Annexure-2, a certified copy of the order dated 16.10.2020 is provided to the Court. Let the certified copy of the order taking cognizance dated 16.10.2020 be kept on record. The petitioner is in custody since 01.04.2020.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 11 months and cognizance having been taken only under section 306 of the Indian Penal Code, the Court directs the petitioner to be enlarged on bail in connection with Mali P.S. Case no. 26 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Aurangabad.

(Partha Sarthy, J)

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