

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7515 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana –KUNDWA CHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Praveen Kumar, Son of Shri Sarbharayan Prasad Yadav, Resident of
Village- Barharwa Fate Mohammad, Police Station- Kundwa Chainpur,
District- East Champaran, Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

5 16-07-2015 Heard the learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in Kundwa Chainpur P.S. Case
No.62 of 2014 registered for the offence punishable under Sections
304B, 201/34 of the Indian Penal Code.

The allegation against the accused including the
petitioner is to have demanded motorcycle, washing machine and
furniture as dowry and due to non-fulfillment of demand of dowry,
the deceased had been killed and her dead body had been burnt.

The learned counsel for the petitioner submits that the
petitioner is the husband of the deceased and there is no specific
allegation of overt act against him. The other co-accused have been
granted anticipatory/regular bail and the case of the petitioner is on

similar footing. The deceased was suffering from mental disorder and her treatment was made at Kanke and the father-in-law of the deceased had taken there for her treatment.

The learned counsel for the State submits that the petitioner is the husband of the deceased and the marriage had taken place on 25.11.2012. Prior to this occurrence, the demand of dowry was made by the accused. There is also a son aged about eight months and there was no reason for the deceased to commit suicide. Due to non-fulfillment of demand of dowry, the deceased has been killed by the accused including the petitioner and the half burnt dead body of the deceased was seized by the police. When the informant had gone to the house of the petitioner, none of the members of his family were present. The petitioner should have protected his wife, but she has been killed by the petitioner and his relatives. After investigation, the case has been found true and the charge sheet has been submitted against the petitioner also.

Considering the facts and circumstances of the case, in my opinion, the petitioner does not deserve bail at this stage. His prayer is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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