

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42808 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -JAKKANPUR District- PATNA

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Rohit Kumar, Son of Late Shyam Narayan Singh, Resident of Village- New
Bighrahpur, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 22-12-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since
19.12.2016 in connection with Jakkanpur P.S. Case No. 242 of
2016 for offences punishable under Section 304(B) of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his sister Pummi Kumari was married to the petitioner who
was working as a clerk in the Income Tax Department at
Ahmadabad and was staying with her where she died for which
U.D. Case No. 06 of 2016 was lodged. The allegation upon the
petitioner is that he along with his mother for non-fulfillment



of demand of dowry has killed her.

It has been submitted by the learned counsel for the petitioner that he is innocent and just because he is the husband, he has been made accused. He further submits that the sister of the deceased who also residing at Ahmadabad has not alleged of any overt act against the petitioner and the deceased was taken to the hospital where she was undergoing treatment and succumbed. He submits that there was no such demand of dowry and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned counsel for the informant and learned APP for the State vehemently oppose the prayer for the bail stating therein that the postmortem report suggests death due to hanging and there was a ligature mark on the neck. He submits that witnesses have supported the prosecution case and even independent witnesses have stated about the demand of dowry.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Jakkanpur P.S.



Case No.242 of 2016, pending in the court of learned
Additional Chief Judicial Magistrate, Patna.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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