

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43645 of 2016

Arising Out of PS.Case No. -84 Year- 2016 Thana -KORHA District- KATIHAR

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Sanni Sharma @ Sammi Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 27-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Korha P.S. Case No. 84 of 2016 instituted for the offence under sections 304(B)/34 of the Indian Penal Code.

The petitioner is husband of the deceased. There is specific allegation against this petitioner of committing physical and mental torture with deceased for demand of Rs. 5 lacs and four wheeler.

It is alleged that daughter of the informant was done to death in her Sasural due to non-fulfillment of demand of dowry.

It is submitted that the deceased had committed suicide by hanging herself from a fan. In the suicidal letter written by the deceased, no specific allegation against the petitioner has been made.



Learned A.P.P. after looking into the case diary has stated that the witnesses in paragraph nos. 10, 13, 14, 15 and 16 have stated that the petitioner continued to torture the deceased and altercation always took place for non-fulfillment of demand of dowry. The independent witness in para 27 of the case diary has stated that on the fateful night also altercation had taken place between the deceased and the petitioner. From the suicidal note, which is found mentioned in para 17 of the case diary, it appears that she had addressed a letter to the husband and the family members of her husband, which shows that she was not happy in her Sasural. There is specific allegation that there was demand of dowry for which she was tortured by her husband and suicidal note also speaks that she was not satisfied.

In view of aforesaid facts and circumstances, I am not inclined to allow bail to the petitioner and accordingly, his prayer for bail is rejected at this stage.

(Sanjay Priya, J)

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