

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.26558 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- KAUWAKOL District- Nawada

Sumit Maharaj @ Sumit Kumar S/o Vidyadhar Maharaj Resident of Village/  
Mohalla- Bhatchak, P.S.- Sirari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

4      25-07-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner apprehends his arrest in connection with  
Kauwakol P.S. Case No. 3 of 2019 registered for the offence  
punishable under Sections 304(B) and 498(A)/34 of the Indian  
Penal Code.

Petitioner, who happens to be husband of the  
daughter of the informant is said to have driven her out of her  
marital house over dowry demand tormenting her along with his  
family members and, consequently, her daughter committed  
suicide after nine days of her exodus from her marital house.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case. He neither made any demand nor tormented the deceased nor drove her out of her marital house. As a matter of fact, the deceased was mentally disturbed and she had *suo motu* left her marital house. The death of the deceased has not taken place in the marital house rather in the maternal house and the petitioner had played no role in the commission of suicide by the deceased. The deceased might have committed suicide as her mother was enjoying illicit affair with some other person. Petitioner has no criminal antecedent, hence, he may be enlarged on bail.

Learned APP for the State opposing the bail prayer of the petitioner submitted that the deceased was subjected to cruelty over dowry demand and finally she was driven out of her marital house and as her mother had performed her marriage after selling out the landed property and she was driven out of her marital house, so being fed up with the aforesaid reason, she has committed suicide and petitioner being husband of the deceased does not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.



However, petitioner is directed to surrender before the court below within six weeks and seeks regular bail and learned court below shall pass order in accordance with law considering the facts and circumstances of the case without being prejudiced by this order.

**(Prakash Chandra Jaiswal, J)**

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