

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75893 of 2018

Arising Out of PS. Case No.-303 Year-2017 Thana- ATRI District- Gaya

Suraj Kevat, Son of Bhola Kevat, Resident of Village-Piyar Mallahi, Police Station Atari, Dist.-Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi
For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the victim, is languishing in custody since 25.04.2018 in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

The prosecution case as per the written report of Krishna Kevat, submitted to the S.H.O., Atri P.S. is to the effect that the daughter of the informant, Daulati Devi was married with the petitioner, Suraj Kevat, in the year 2017 but subsequently, further dowry demand of a Scorpio vehicle was made and due to non-fulfillment of the same, torture was inflicted upon the daughter of the informant by in-law family members including the petitioner. Ultimately, the daughter of



the informant was killed by in-law family members including the petitioner by throttling.

It is submitted by learned counsel from the petitioner that in fact, the victim had some illicit relationship with another person which was protested by the petitioner, hence she had committed suicide and this fact has also been transpired during the investigation. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State after going through the case diary submits that the victim was killed by all in-law family members including the petitioner by strangulation due to non-fulfillment of dowry demand.

Considering the fact that the postmortem report reflects the cause of death as asphyxia due to hanging and the victim was killed within six months of marriage coupled with the accusation of demand of dowry, this Court is not inclined to grant bail to the petitioner for the present, in connection with **Atri P.S. Case No.303 of 2017**, pending in the Court of learned **C.J.M., Gaya.**

Accordingly, the prayer for bail of the petitioner in the aforementioned case, is rejected.



However, it is expected from the learned Court below to expedite the trial. The petitioner would be at liberty to renew his prayer for bail, if the trial is not concluded within a period of one year.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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