

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2776 of 2020

Arising Out of PS. Case No.-79 Year-2019 Thana- SIKARHATTA District- Bhojpur

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Harendra Kumar S/o Kameshwar Rajvanshi @ Kameshwar Ram R/o village-
Panwari, P.S.- Sikarhatta, District- Bhojpur Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.
For the Informant : Mr. Dineshwar Mishra, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi APP.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 28-05-2020 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Sikarhatta P.S. Case No. 79 of 2019 registered under sections 304B, 120B, 201 and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant was married to the petitioner in May, 2018. It is stated that at the time of marriage and 'Gouna', the informant had given gifts as per his capacity. It is further stated that soon thereafter the accused persons including the husband started making demand of a buffalo, chain and a motorcycle and on non-fulfilment of the same, they started to torture her daughter. Ultimately she was strangled to death.

It is submitted by learned counsel for the petitioner that



the allegations as levelled with respect to demand of dowry and torture are all false and concocted. The daughter of the informant died as a result of heat wave. Information was given to the informant and it was in their presence that the cremation took place. The petitioner has no criminal antecedent and is in custody since 6.7.2019.

The application for bail is opposed by the learned APP for the State and learned counsel for the informant.

Learned counsel for the informant submits that there is direct and serious allegation against the petitioner and from perusal of the FIR itself, it would transpire that on the informant and others reaching at the daughter's place, they were locked up in a room. Further the cremation was hurriedly carried out without getting any post-mortem conducted.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as stated herein above including the fact that the petitioner happens to be the husband of the deceased, the death is stated to have taken place just a year after the marriage and the body was cremated without post-mortem, the court is not inclined to grant bail to the petitioner and, as such, the application for bail stands rejected.

(Partha Sarthy, J)

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