

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13797 of 2020

Arising Out of PS. Case No.-587 Year-2019 Thana- KUDHNI District- Muzaffarpur

Rakesh Kumar @ Rakesh Gupta @ Rakesh Kumar Gupta, aged about 32 years, Son of Late Ram Jeevan Sah, Resident of Village- Chhajan Sangram @ Chhajan West Tola, P.S.- Kurhani, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh, Advocate
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-06-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Kurhani P.S. Case No. 587 of 2019 registered for the offences punishable under Sections 304(B), 120(B)/34 of the Indian Penal Code.

The informant Manohar Sah alleged in F.I.R. that the marriage of his sister Priyanka was solemnized with the petitioner on 06.02.2014. His sister gave birth to two children. Later, all the accused persons made additional demand of money in dowry and when his sister could not fulfil their demand, she was killed by them.

Learned counsel for the petitioner submits that the informant and their witnesses are not an eye witness to the alleged occurrence as the case is based on circumstantial evidence. The actual fact of the matter is that as per the version of independent witnesses, it has come to light that petitioner took money from many females and the petitioner was unable to return the money and for this petitioner deceased wife used to



quarrel with the petitioner and committed suicide which has come in paragraphs 10, 41 and 42 of the case diary. Learned counsel for the petitioner further submits that from perusal of postmortem report, the cause of death of the deceased has not been ascertain as the viscera is preserved. Learned counsel for the petitioner further submits that the petitioner is in jail custody since 15.10.2019.

Learned counsel for the State submits that the petitioner is the husband and there is specific allegation against the petitioner. He further submits that the petitioner is in jail custody since 15.10.2019 and petitioner has no any criminal antecedent.

In the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail to the petitioner is hereby rejected in connection with Kuarhani P.S. Case No.587 of 2019. However, the petitioner is directed to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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