

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27604 of 2020

Arising Out of PS. Case No.-177 Year-2019 Thana- SAUR BAZAR District- Saharsa

Gulshan Kumar Son of Sri Bijendra Yadav @ Bijen Yadav Resident of Village- Ghoghanpatti (Puwari Tola), Police Station- Soarbazar, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha, Advocate

For the Opposite Party/s : Mr.J.K.Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sour Bazar P.S. Case No. 177 of 2019 registered for the offence under Sections 304(B), 201 and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant was married with this petitioner one year ago and thereafter, it is alleged that she was subjected to cruelty and torture due to non-fulfillment of demand of dowry and finally, on 27-04-2019, the informant came to know that his daughter has been killed by the accused persons including this petitioner and her dead-body was disposed.

It is submitted on behalf of petitioner that petitioner,



who happens to be husband of the deceased, has been falsely implicated in this case. In fact, the deceased has committed suicide. It is further submitted that co-accused Bijendra Yadav (father of the petitioner) has already been granted bail by this Court, vide order dated 27-02-2020 passed in Cr.Misc. No. 6813 of 2020 (Annexure – 2 to the petition). The petitioner is in custody since 20-05-2020.

However, counsel for the State opposed the bail application and submitted that petitioner is husband of the deceased and it is case of dowry death and there is specific allegation of demand of dowry. It is further submitted that deceased (daughter of the informant) has died within seven years of marriage at her matrimonial home in an unnatural circumstances.

Considering the aforesaid facts and circumstances, the bail application of petitioner is rejected.

(Prabhat Kumar Singh, J.)

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