

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68721 of 2019

Arising Out of PS. Case No.-312 Year-2018 Thana- GORAUL District- Vaishali

SHIVNATH RAI @ SHIVNATH KUMAR RAI S/O Ram Ashish Rai
Resident of Village- Mathana Milik @ Mathana Malik @ Mathanabham, P.S.-
Goraul (O.P Kathwa), District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 04-03-2020 Heard learned counsels for the petitioner and the
State.

Petitioner seeks bail in connection with Goraul P.S.
Case No. 312 of 2018 registered for the offence punishable
under sections 304B, 201/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that petitioner has been falsely implicated in this
case merely because he is husband of the deceased.
Petitioner never demanded any dowry nor tortured the
deceased ever. As a matter of fact, the deceased was
suffering from diarrhea and during course of treatment she
died. Moreover, the matter has been compromised between
the parties.



Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioner is named accused in the first information report and the accused persons have committed heinous crime. During investigation, witness have supported the prosecution case. Moreover, petitioner being the husband was responsible for the well being of his wife in which he has failed. Petitioner, therefore, does not deserve to be granted the privilege of bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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