

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.84722 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- NAYAGAON District- Begusarai

SHEKHAR KUMAR Son of Dayanand Sah Resident of Village - Sonapur
Bharat, P.S.- Nayagaon, District – Begusarai. Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Advocate
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 06-07-2020 Heard learned counsel for the petitioner and learned
APP for the Sate.

The petitioner in the present case is seeking regular bail in connection with Nayagaon P.S. Case No. 24 of 2019 registered for the offences under Sections 304B/34 of the Indian Penal Code and Sections 3 / 4 of Dowry Prohibition Act.

Learned counsel for the petitioner submits that the marriage between the petitioner and the deceased was a love marriage and as such the allegation that the daughter of the informant was being tortured by the petitioner for bringing some dowry are totally false, concocted and baseless.

It is his further submission that the fact that all the family members of the petitioner including the brother-in-law were implicated in this case against whom the Police has not found any material in course of investigation go to further show



that it is a false implication of entire family members.

Learned APP for the State submits that in this case no doubt, the marriage was a love marriage but in course of investigation it has come that one month after the marriage when the daughter of the informant started living in her Sasural, the husband and in-laws were demanding three *tholas* of gold and one Bullet Motorcycle which the father of the deceased was unable to provide.

It is further submitted that the post mortem report clearly shows the injuries on the neck side of the deceased and in the opinion of the doctor the death was caused due to injuries caused by undue pressure on the neck.

Having regard to the facts and circumstances of the case, considering that the independent witnesses in paragraph 68 and 69 of the case diary have supported the prosecution case and further that the death has taken place within the four corner of the petitioner's house and post mortem report shows injury on the neck side of the deceased and the deceased died due to the undue pressure on the neck, in the nature of materials present, this Court is not inclined to grant regular bail to the petitioner. His prayer for bail is thus, refused.

The petitioner is in custody since 03.05.2019, let the



trial be expedited.

The application stands dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

