

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86905 of 2019

Arising Out of PS. Case No.-31 Year-2019 Thana- VIDYAPATINAGAR District- Samastipur

RAJU KUMAR RAY S/O Suresh Ray Resident of Village - Gopalpur, Police
Station - Vidhyapati Nagar, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 24-06-2020 The matter has been taken up through virtual Court proceeding.

Mr. Bijay Bhushan Prasad, learned counsel for the petitioner submits that he has no instruction in the matter. Heard learned counsel for the State.

The petitioner is languishing in jail since 24.6.2019 in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC. Hence, prayer for bail has been made.

The prosecution case, as per the written report of Rajendra Prasad Yadav submitted to the SHO, Vidyapati Nagar Police Station, is to the effect that the daughter of the informant (changed name X) was married with the petitioner Raju Kumar Ray, two years prior to the lodging of the case, but subsequent to the marriage, there was further dowry demand of Rupees Two Lacs and due to non-fulfillment of the same, torture was



inflicted upon the victim. On 23.3.2019, someone informed the informant that his daughter has been killed. Thereafter, the informant went to the in-law's house of his daughter and found the house locked and none was present there. The neighbor of the in-laws conveyed the informant that his daughter has been killed and the dead body has been disposed of by all the FIR named accused persons including the petitioner.

From perusal of the pleadings, it appears that the petitioner is the husband of the victim. Though the accusation is omnibus and general against all the accused persons but the thrust of accusation is against the petitioner, being husband of the victim.

The impugned order wherein several paragraphs of the case diary have been quoted, suggests that the several witnesses have supported the prosecution case of killing the daughter of the informant for non-fulfillment of dowry demand. A plea has been taken that the victim died due to diarrhea and subsequently, dead body was disposed of.

Learned APP submits that the thrust of accusation is against the petitioner.

Considering the fact that the victim died within two years of marriage and the accusation of demand of dowry is levelled in the FIR, moreover, the victim died unnatural death



when even postmortem was not conducted, this Court is not inclined to grant bail to the petitioner in connection with Vidyapati Nagar P.S. Case o. 31 of 2019 pending in the Court of the learned Additional Sessions Judge, Dalsinghsarai, Samastipur.

Prayer of the petitioner for bail is, accordingly, rejected.

(Dinesh Kumar Singh, J)

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