

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.11928 of 2021**

Arising Out of PS. Case No.-275 Year-2018 Thana- BASANTPUR District- Siwan

SHAMBHU RAI S/o Binda Rai R/o village- Bala Bais, P.S.- Basantpur,  
District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

3      17-08-2021                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in connection with a case registered under section 304B and 34 of the Indian Penal Code.

As per allegations in the FIR, the daughter of the informant who was married to the petitioner in the year 2012 was strangled to death for non-fulfillment of the demand of a motorcycle by way of dowry.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case. He is the husband of the deceased. Referring to the contents of the postmortem report it is submitted that the



ligature mark together with the condition of the trachea would clearly show that it is not a case of strangulation but that of suicide by hanging. The petitioner is in custody since 12.10.2020 and has no criminal antecedent. Investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner who happens to be the husband of the deceased that he along with the other accused persons strangled the daughter of the informant to death and the same having been confirmed from the contents of the postmortem report wherein the cause of death is stated to be asphyxia caused by strangulation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial Court is directed to expedite the trial.

**(Partha Sarthy, J)**

Spd/-

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