

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.12819 of 2021**

Arising Out of PS. Case No.-130 Year-2020 Thana- IMAMGANJ District- Gaya

AKHILESH KUMAR, S/o Bindu Yadav, R/o village- Bhidaha, P.S.-
Imamganj, District- Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, A.P.P.
For the Informant	:	Mr. Shiva Shankar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 25-08-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned counsel for the informant and Mr. Arvind Kumar Pandey, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Imamganj P.S. Case No. 130 of 2020 registered for the offence punishable under Section 304(B) of the Indian Penal Code. He is in custody since 07.09.2020.

Learned counsel for the petitioner submits that as per the prosecution story the marriage between the petitioner and the deceased lady has taken place in the year 2018. The petitioner has been falsely implicated in the present case, there was neither any

demand of dowry nor any cruelty was inflicted upon the deceased and the medical report does not support the case of the prosecution.

On the other hand, learned counsel for the informant and Mr. Arvind Kumar Pandey, learned A.P.P. for the State have opposed the prayer for regular bail of the petitioner. It is submitted that it was a new marriage of the year 2018 and the death has taken place within a period of two years in the matrimonial home inside the four-corners of the house of the petitioner, the post-mortem report reveals at least 4-5 injuries on the dead body and that shows prior to her death the deceased was physically tortured in the matrimonial home.

Considering the facts and circumstances of the case, the seriousness of the allegations made against the petitioner, he is husband of the deceased and post-mortem report showing several injuries on the dead body suggesting physical torture to the deceased in the matrimonial home, this Court is not inclined to release the petitioner on bail. The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited.

(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'.