

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17319 of 2021**

Arising Out of PS. Case No.-78 Year-2020 Thana- SIKARPUR District- West Champaran

Dhanilal Yadav Male, Aged about 36 years, Son of Chhathu Yadav Resident
of Village - Kaulachi, P.S.- Shikarpur, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy

For the Opposite Party/s : Mr. Ram Sumiran Roy A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 08-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Shikarpur P.S. Case No. 78 of 2020, registered for the offence under Section 304(B), 120B/34 of the Indian Penal Code.

It is a case of 'Dowry Death'. The petitioner is alleged to have committed the murder of his wife and two children by setting them on fire, due to non-fulfillment of demand of dowry.

It is submitted that petitioner is innocent and has been falsely implicated in this case. Rather, the deceased (daughter of the informant) died while she was cooking meal for the children, in the meantime, fire broke out, as a result of which, this incident has happened. There is no specific allegation of demand of dowry. Petitioner is in custody since 22.02.2020.



However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry. deceased has died alongwith her two minor children in an unnatural circumstances within seven years of marriage.

Considering the nature and gravity of offence and petitioner is husband of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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