

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18922 of 2021**

Arising Out of PS. Case No.-226 Year-2020 Thana- DARAUNDA District- Siwan

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ASHISH KUMAR GIRI @ ASHISH GIRI @BHRIGUNATH GIRI SON OF
KAMAL GIRI VILLAGE CHINTAMANPUR, P.O.- K.T. BHARAU LI, P.S.-
DARAUNDA, DISTRICT- SIWAN (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Giri

For the Opposite Party/s : Mrs. Anita Kumari, APP

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

2 09-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Daraunda P.S. Case No.

226 of 2020 corresponding to Sessions Trial No. 250 of 2020,

registered for the offence punishable under Sections 304(B),

120(B) and 34 of the Indian Penal Code.

As per the prosecution case, marriage of informant's

daughter was solemnized with petitioner in the year 2016. After

marriage all the accused persons including this petitioner started

demanding dowry. It is further alleged that the accused persons

committed murder of informant's daughter by pressing her neck



due to non-fulfillment of demand of dowry. Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that petitioner is innocent and has committed no offence. No such occurrence has ever taken place and there was no demand of dowry by the petitioner. In fact, deceased died due to heart failure. There is general and omnibus allegation. Further submitted that the FIR is falsified from the fact that dead body was not burnt rather it was kept for the family members of deceased so that they could have last glimpse of the deceased. Petitioner is in custody since 15.08.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of marriage, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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