

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18400 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- SARAI District- Vaishali

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Brajesh Tiwari, Son of Ram Dhyani Tiwari, R/O Village- Sohari, P.S.- Sarai,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar, APP
For the Informant	:	Dr. Ratan Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-10-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 304(B)/34 of the Indian
Penal Code.

Allegation against the petitioner alongwith other
accused persons is said to have committed murder of the
informant's niece due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the deceased herself committed
suicide due to tension for giving birth to a female child. At the
time of occurrence, petitioner was at Chhatisgarh. The



petitioner is languishing in jail custody since 07.10.2020. The petitioner has no criminal antecedent, which is mentioned in para 3 of the bail petition.

Learned APP for the State as well as learned counsel for the informant vehemently opposed the prayer for bail petition and submit that the petitioner is husband of the deceased and also mobile evidence against the petitioner in the case diary.

Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Sarai P.S. Case No. 06/2020 from the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

Accordingly, this application is dismissed.

However, the petitioner is at liberty to renew his prayer for bail after framing of the charge.

(Anjani Kumar Sharan, J)

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