

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19687 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- DHAMDAHA District- Purnia

Rocky Mishra @ Rocky Kumar Mishra Son of Anil Kumar Mishra Resident
of village- Bishanpur, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 16-12-2021 Heard Shri Yogesh Chandra Verma, learned senior
counsel for the petitioner and Shri Chandra Bhushan Prasad,
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Dhamdaha P.S. Case No. 37 of 2020 instituted for the offences
under Sections 304B and 34 of the Indian Penal Code.

Learned senior counsel for the petitioner submits that
the petitioner is in custody since 16.03.2020, is a person with
clean antecedent and charge-sheet has been submitted in the
case.

Learned senior counsel for the petitioner submits that
allegation in the F.I.R. is that the daughter of the informant was
married to this petitioner on 03.03.2019 and thereafter demand
of dowry of Rs. 3 lakhs started out of which the informant



alleges that he managed about Rs. 1 lakhs and then it is alleged that on 22.02.2020 the informant received information that her daughter has died.

The learned senior counsel for the petitioner submits that the deceased was suffering from various ailments including depression and thus she committed suicide and in support of which the learned senior counsel relies on Annexure-2 series which includes homeopathic treatment as well as allopathic treatment.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the marriage was not even a year old, there is specific demand of dowry and during the course of investigation nothing has come which would even remotely suggest that the deceased was suffering from any kind of ailment. Further, it is submitted that petitioner is the husband and for the present, presumption is against him as the marriage was only one year old.

Considering the submissions, the Court is not inclined to grant bail to the petitioner. Prayer for bail is thus refused.

(Satyavrat Verma, J)

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