

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20279 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- PAHARPUR District- East Champaran

MANSOOR MIAN SON OF MUNAR MIAN R/O VILLAGE- SHARYA
CHAINPATTI, P.S.- PAHARPUR, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-07-2021 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 Paharpur P.S. Case No. 38
of 2020, registered for the offence punishable under Sections
304B/34 of the Indian Penal Code and section 3/4 of the Dowry
Prohibition Act.

As per the prosecution case, daughter of the informant
was married with this petitioner seven years ago. After
marriage, her husband (petitioner) and in-laws started subjecting
her to mental and physical torture for dowry. Ultimately on,
21.01.2020, petitioner and other accused persons are alleged to



have committed murder of informant's daughter for non-fulfillment of demand of dowry. Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that petitioner happens to be the husband of deceased and marriage was solemnized in the year 2011. No such occurrence has ever taken place and there was no demand of dowry by the petitioner. In fact, deceased was hyper sensitive lady and she has committed suicide. From perusal of postmortem report, it appears that cause of death is asphyxia due to hanging. Petitioner is in custody since 01.10.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the fact that petitioner is husband of the deceased and there is direct allegation of demand of dowry and deceased died at her sasural in other than normal circumstances, 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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