

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22760 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- BHAGWANPUR District- Begusarai

Bipul Kumar, Son of Bipin Singh, R/O Village- Bhith, P.S.- Bhagwanpur,
District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Y. C. Verma, Sr. Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Akhileshwar Dayal, A.P.P.
For the Informant	:	Mr. Binod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-09-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned Senior Counsel for the petitioner, learned counsel for the informant and Mr. Binod Kumar, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Bhagwanpur P.S. Case No. 200 of 2020 registered for the offence punishable under Sections 304(B), 498(A) of the Indian Penal Code. He is in custody since 19.10.2020. The petitioner has otherwise no criminal antecedent.

Learned Senior Counsel for the petitioner submits that



although the allegation is that of demand of dowry and death because of non-fulfillment of demand of dowry, the Police after investigation found that it was a case of suicide and, therefore, submitted a chargesheet under Section 306 of the Indian penal Code.

Learned Senior Counsel further submits that the prosecution case is concocted one as the dead body itself was taken out after the Police reached at the place of occurrence.

On the other hand, Mr. Binod Kumar, learned counsel for the informant has opposed the prayer for regular bail of the petitioner. It is his submission that she was a newly married lady who has been killed within the four-corners of the house of the petitioner and the medical examination report/post-mortem report discloses ante mortem injuries on some of the parts of her body. The allegation is of demand of dowry. It is submitted that the learned C.J.M. has differed with the Police report and has taken cognizance of the offences under Section 304(B), 498(A)/34 of the Indian Penal Code.

Having regard to the facts and circumstances of the case wherein it appears from the record that the marriage between the parties were solemnized on 27th June, 2020, the allegation is of demand of dowry and due to non-fulfillment



thereof the sister of the informant has been killed and it is stated in the F.I.R. that on 29.08.2020 itself the information was given to the Mahila Police Station and then it was sent on the whatsapp of the D.G.P. and in the said night the sister of the informant was killed, the allegation getting support from the post-mortem report showing some ante-mortem injuries, this Court is not inclined to release the petitioner on bail at this stage. The prayer for bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

