

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28804 of 2021

Arising Out of PS. Case No.-448 Year-2019 Thana- BAIRIYA District- West Champaran

RAJAN CHAUDHARY @ RANJAN CHAUDHARY Son of Late Indrasan Chaudhary Resident of Village - Bagahi Ratanpur, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bairiya P.S. Case No. 448 of 2019, registered for the offence under Sections 304(B)/201/504/506/34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant (deceased) was married with the petitioner in the year 2016 and thereafter, it is alleged that this petitioner started demanding motorcycle, as dowry, and due to non-fulfillment of the same, petitioner alongwith his family members started torture and cruelty with the daughter of informant and lastly, on 24.12.2019, they killed her and disappeared her dead body.

It is submitted on behalf of the petitioner that there is



no specific allegation against this petitioner. There is general and omnibus allegation. In fact, the deceased died due to acute colic pain, for which, she was treated by the local doctor and when her condition deteriorated, she was taken to hospital, but on way to hospital, she succumbed to death. It is further submitted that petitioner has neither demanded any dowry nor tortured the deceased. Petitioner is in custody since 04.12.2020.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry and deceased has died in her matrimonial house.

Considering the fact that petitioner is husband of the deceased as well as the fact that deceased has died within seven years of marriage in her matrimonial house and there is specific allegation of dowry and torture against the petitioner, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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