

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30346 of 2021**

Arising Out of PS. Case No.-339 Year-2019 Thana- MAHARAJGANJ District- Siwan

SETH KUMAR Son of Late Vishwakarma Mahto Resident of Village -
Pokhra, P.S.- Maharajganj, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 29-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 304B/34 of the Indian
Penal Code.

As per the prosecution case, niece of the informant
was killed by this petitioner along with other accused persons
for non fulfillment of demand of dowry. Petitioner happens to be
husband of the deceased.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has committed no offence rather
the deceased was suffering from mental disorder and she
committed suicide and this fact has also come during the course
of investigation in paragraph 27 and 28 of case diary. Petitioner
is in custody since 25.12.2019 and investigation in this case is



complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific allegation against this petitioner that he killed his wife due to non fulfillment of demand of dowry and the deceased died within seven years of marriage under unnatural circumstances.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, since the petitioner is in custody since 25.12.2019, the trial court is directed to conclude the proceedings as early as possible.

(Prabhat Kumar Singh, J)

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