

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28684 of 2021

Arising Out of PS. Case No.-172 Year-2019 Thana- BELSAND District- Sitamarhi

KUNAL KUMAR Son of Late Bhola Singh Resident of Village - Dumra, P.S.
- Belsand, District - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-08-2021 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 Belsand P.S. Case No. 172
of 2019, registered for the offence punishable under Sections
304(B)/34 of the Indian Penal Code and section 3/4 of the
Dowry Prohibition Act.

As per the prosecution case, this petitioner along with
family members committed murder of informant's daughter due
to non-fulfillment of demand of dowry. Petitioner is husband of
the deceased.

It is submitted on behalf of the petitioner that there is
love marriage between the petitioner and deceased and



therefore, question of demand of dowry does not arise. In fact, the deceased while cooking meal caught fire and died due to burn injuries. There is general and omnibus allegation. Petitioner is in custody since 17.11.2019 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the thrust of allegation against the petitioner who happens to be the husband of deceased and the fact that deceased died in other than normal circumstance within seven years of marriage at her matrimonial home, 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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