

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32077 of 2021

Arising Out of PS. Case No.-128 Year-2018 Thana- ATRI District- Gaya

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Dharmendra Yadav @ Dharmendra Kumar Son of Late Heraman Yadav
Resident of Village - Mallahachak, P.S.- Atri, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 08-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Atri P.S. Case No. 128 of 2018, registered for the offence under Section 304(B) / 201 of the Indian Penal Code.

Petitioner is husband of the deceased (daughter of the informant) and allegation against him is that he alongwith other FIR named accused persons caused death of the deceased.

It is submitted that petitioner has neither tortured nor killed the deceased, rather the deceased died due to snake bite. Petitioner has never demanded any dowry from the informant. It is further submitted that after death of the deceased, the petitioner informed the informant about the occurrence, but she did not come to participate in the cremation of the deceased. Petitioner is in custody since 05.01.2021.



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 due to non-fulfillment of the same, the deceased was subjected to cruelty. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial house.

Considering the nature and gravity of offence and petitioner is husband of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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