

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33378 of 2021

Arising Out of PS. Case No.-439 Year-2020 Thana- RAHUI District- Nalanda

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Ghantu Kumar S/o Siman Chaudhary R/o village- Maie Farida, P.S.- Rahui,
Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Md.Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Rahui P.S. Case No. 439 of 2020, registered for the offence under Section 304(B) / 34 of the Indian Penal Code.

It is a case of 'Dowry Death' and the petitioner, who happens to be husband of the deceased, and his family members are alleged to have committed the murder of daughter of the informant, due to non-fulfillment of demand of dowry.

It is submitted that petitioner is innocent and has been falsely implicated in this case. Neither the petitioner demanded any dowry nor subjected any cruelty to deceased. In fact, the deceased committed suicide by consuming poison and immediately thereafter, she was taken to hospital in Bihar Sharif,



were she during course of treatment died. It is further submitted that the informant (father of the deceased) and petitioner's family members have compromised the matter and to this effect, a compromise petition has also been filed by the informant in the court below, which is at Annexure-2 to the bail petition. Petitioner is in custody since 05.12.2020.

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 against him of demand of dowry.

Considering the nature and gravity of offence as well as the fact that petitioner is husband of the deceased and the deceased has died in an unnatural circumstances within seven years of marriage, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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