

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35540 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

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SONU KUMAR SAH @ SONU KUMAR Son of Jagdish Sah Resident of
Village- Chhapiya, Ward No.24, Police Station- Gopalganj Nagar, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr.Mithlesh Kr. Khare, APP.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-12-2021 The present petition has been taken up for

consideration through the mode of Video conferencing in view

of the prevailing situation on account of COVID 19 Pandemic,

requiring social distancing.

Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner seeks bail in connection Gopalganj Town

P.S. Case no. 122 of 2021 registered for the offence

punishable under sections 304B and 201/34 of the Indian

Penal Code read with sections 3/4 of the Dowry Prohibition

Act.

Learned counsel for the petitioner submits that



informant in the FIR has alleged that his daughter Priti Kumari was married with one Vikash Kumar Sah in the year 2018 and after marriage, accused persons tortured her physically and mentally for dowry and on 20.2.2021 when her brother had gone to see the deceased, he came to know that she had been murdered by her husband and his family members and her funeral has already been done even without informing his parents. Learned counsel for the petitioner submits that petitioner is brother-in-law of the deceased and as such has been falsely implicated when allegations in the FIR are general and omnibus in nature against him.

Learned APP vehemently opposes the prayer for bail and submits that daughter of the informant was killed and the informant and his family members had not been informed and if the petitioner claims to be brother-in-law and he was aware that his Bhabhi has died then he should have informed the informant so that they could have participated in the last rite of the deceased but her dead body was cremated even without informing the informant and his family members.



Considering the facts that petitioner is brother-in-law of the deceased and despite being aware of the occurrence, he did not inform the informant and his family about the death of the deceased, the court is not inclined to grant bail more so when her husband is not in custody. Accordingly, his prayer for bail is rejected.

Learned counsel for the petitioner submits that husband of the deceased will surrender. Petitioner is given liberty to renew his prayer for bail when husband of the deceased surrenders in the learned court below.

(Satyavrat Verma, J)

s.hassan/-

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