

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28597 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- BHELDI District- Saran

JUNARABI RAY Son of Kanhai Ray Resident of Village - Basauta, P.S.-
Bheldi, Distt.- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 08-01-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Bheldi Police Station Case No. 08 of 2020, registered for the
offences punishable under Sections 304-B/201/34 of the Indian
Penal Code.

The allegation, as per the First Information Report, is
that the daughter of the informant (now deceased) was married
to co-accused Sunil Rai about four years back and the petitioner,
who is the father-in-law of the deceased, along with other
accused persons, used to demand one motorcycle as dowry and
due to non-fulfillment of the said demand, the petitioner and
others tortured the deceased. It has further been alleged that on
05.01.2020, the informant got information that his daughter has



committed suicide and when he arrived at the matrimonial home of his daughter, he found that all accused persons had fled away from their house. The informant has claimed that the deceased has been killed and her dead body has been disposed of clandestinely.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case along with other family members. He further submits that the petitioner happens to be the father-in-law of the deceased and there is no specific allegation of demand of dowry and torture against him.

On the other hand, learned Additional Public Prosecutor submits that from perusal of the First Information Report, it would be evident that there is specific allegation of demand of dowry and torture against the petitioner and the conduct of the petitioner is suspicious inasmuch as when the informant reached the matrimonial home of the deceased, the petitioner along with other family members were found missing. He further submits that the deceased died an unnatural death within seven years of marriage and as per Section 113-B of the Evidence Act, there is presumption against the petitioner.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature



of allegation levelled in the First Information Report, I am not inclined to grant regular bail to the petitioner, at this stage.

This application is, accordingly, dismissed.

However, the petitioner may renew his prayer for bail after nine months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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