

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30242 of 2020

Arising Out of PS. Case No.-352 Year-2019 Thana- ALOULI District- Khagaria

Rajesh Sharma S/o Kedar Sharma R/o Vill.-Uttri Chhilkouri, P.S.-Allouli
(Bahadurpur), Distt.-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 03-02-2021 Heard the learned counsel for the petitioner and Shri
Ashok Kumar, the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Allouli P.S. Case No. 352 of 2019, G.R. No. 2954 of 2019 for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The case of the prosecution in brief is that the petitioner, who happens to be the husband of the deceased victim lady, is alleged to have killed the deceased victim lady on account of non-fulfillment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 14.10.2019. The learned counsel for the petitioner



has further submitted that the police has though recorded the statement of the villagers belonging to the village of the informant but has not recorded the statement of the villagers of the village of the petitioner and moreover, there is no eye witness to the alleged occurrence.

Per contra, the learned Additional Public Prosecution has opposed the prayer for bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the parties and taking into account the materials available on record as also the materials available in the case diary, a *prima facie* case is definitely made out against the petitioner herein of having not only killed the deceased victim lady but having also burnt the dead body with an intention to destroy the evidence, hence, I do not find any merits in the present petition.

Accordingly, the petition stands dismissed.

(Mohit Kumar Shah, J)

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