

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35339 of 2020**

Arising Out of PS. Case No.-14 Year-2020 Thana- BARUN District- Aurangabad

NEERAJ KUMAR SINGH, aged about 31 years, Gender-Male, Son of Ram Vilash Singh Resident of Village - Dayalpur, P.S.- Barun, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate  
Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH**

ORAL ORDER

3      19-02-2021      Heard learned counsel for the parties.

This application for grant of regular bail arises out of Barun P.S. Case No. 14 of 2020, disclosing offences punishable under Section 304B/34 of the Indian Penal Code.

The petitioner is the husband of the deceased, who is in custody since 29.02.2020. The deceased and the petitioner were married on 12.05.2018. The deceased died on 16.01.2020. There is allegation in the First Information Report of demand of dowry as also torture meted out to her by her in-laws.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that it is true though that the deceased died an unnatural death within seven years of marriage, the



petitioner is being connected with the death only in the background of allegation of demand of dowry so as to constitute an offence under Section 304B of the Indian Penal Code. There is no allegation that the petitioner was responsible for the death of the deceased, otherwise, he contends. He has submitted that the allegation against the petitioner is based on presumption of dowry death, which is rebuttable.

Considering the above submission and the fact that the petitioner is in custody since 29.02.2020, this application is allowed.

Let the petitioner above-named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Barun P.S. Case No. 14 of 2020.

**(Chakradhari Sharan Singh, J)**

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