

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40715 of 2020**

Arising Out of PS. Case No.-176 Year-2020 Thana- RAXAUL District- East Champaran

Shashi Kumar aged about 28 years Son Of Om Prakash Sah Resident Of
Village - Kanna, P.S. - Raxaul, District - East Champaran ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Diwakar Prasad Singh, Advocate

For the Opposite Party : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-02-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Raxaul Police Station Case No. 176 of 2020 registered for the offences punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, daughter of the informant was married to the petitioner on 6.12.2014 and soon thereafter the in-laws including the petitioner started subjecting her to torture and harassment due to non-fulfilment of dowry demand of Rs.10 lacs cash and a car. They ousted her and only after Panchayati the petitioner took her to his house in 2018. It is further alleged that the accused persons demanded Rs.10 lacs cash as dowry and on non-fulfilment of the same, they killed her.

Learned counsel for the petitioner submits that the victim was in fact suffering from various ailments including mental disease for which she was treated at Ranchi also. However, her condition could not improve and she died. Petitioner is in custody since 23.5.2020.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner is husband and the victim died at her matrimonial house within seven years of marriage and there is allegation against the petitioner that he subjected



her to torture and post mortem report also reveals that the victim died due to Asphyxia due to strangulation and there was ligature mark in front of her neck.

In view of the nature of allegation and the fact that the victim died within seven years of marriage in unnatural circumstances at her matrimonial house, the prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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