

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39443 of 2020**

Arising Out of PS. Case No.-375 Year-2019 Thana- BARACHATTI District- Gaya

BHOLA PRAJAPATI @ BHOLA KUMAR Son of Lakhan Prajapati Resident
of Village- Ratni, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Md Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr Shailendra Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 04-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Barachatti Police Station
(for brevity *PS*) Case No 375 of 2019 dated 22.08.2019
instituted for the offence punishable under Sections 304B/34 of
Indian Penal Code.

The petitioner is husband and the allegation is of his
wife being done to death by him and other family members
while she was at her matrimonial home for non-fulfillment of
demand of dowry.

Petitioner's counsel submits that it is a case of false
implication. The persons, who have been examined in the
course of investigation, are interested witnesses and from



paragraphs 18 and 25 of the case diary, it is apparent that there was marital discord and regular quarrel was being taken place between the parties. Petitioner is in custody since 13.11.2019.

The learned APP for the State draws attention of the Court towards paragraph 39 of case diary, which is the post mortem report, from which it is apparent that deceased has died an unnatural death at her matrimonial home. The death is due to asphyxia and multiple bruises have been found on the victim. It is further submitted that the petitioner happens to be the husband of victim.

Having regard to the submissions advanced by the parties, this Court, for the present, is not inclined to grant bail to the petitioner. Prayer is rejected.

(Madhuresh Prasad, J)

M.E.H./-

U		T	
---	--	---	--

