

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5120 of 2021

Arising Out of PS. Case No.-117 Year-2019 Thana- MADHUBAN District- East Champaran

Dinesh Prasad @ Dinesh Bhagat S/O Rajendra Prasad @ Rajendra Bhagat
R/O Village- Domaghat, P.S.- Madhuban, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Santosh Kumar, Advocate

For the Opposite Party : Mr.Murlidhar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Madhuban Police
Station Case No. 117 of 2019 registered for the offences
punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, informant's sister was
married to the petitioner 6/7 years before and soon thereafter
petitioner and his family members started subjecting her to
cruelty and harassment for dowry for which a case had also
been lodged. Petitioner and his family members finally killed
her for non-fulfilment of dowry demand.

Learned counsel for the petitioner submits that in fact
sister of the informant was suffering from serious ailments and
she died during treatment. He submits that offence under section
304B of the Indian Penal Code would not be attracted against
the petitioner. Besides this, there is general and omnibus
allegation against the petitioner. Petitioner is in custody since
7.7.2020.

Learned counsel for the State opposes the prayer for
bail and submits that there is specific allegation that petitioner,
being husband of the victim, used to demand dowry and



committed torture on her and in league with his family members he killed her in a planned conspiracy.

Considering the rival submissions of the parties, materials available on the record and the fact that the informant’s sister died within seven years of marriage under unnatural circumstance and the petitioner is the husband of the deceased, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

Shashi

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

