

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1980 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- KURSAILA District- Katihar

Deepak Kumar Aged About 25 Years Son Of Suleshwar Mahato Alias
Suleshar Mahto Resident Of Village Gandhi Ghar Bin Toli, Police Station
Kursela District Katihar ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Bimal Kumar, Advocate

For the Opposite Party : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Kursela Police Station Case No. 82 of 2020 registered for the offences punishable under sections 304B,120B/34 of the Indian Penal Code.

As per the prosecution case, informant married her daughter with the petitioner in 2019 but soon thereafter the petitioner and his family members started subjecting her to torture and harassment for dowry and finally they killed her by pressing her neck on 30.4.2020 due to non fulfilment of demand of dowry.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case because of being husband of the deceased. He has denied the accusation of



demand of dowry and committing murder. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 13.5.2020.

Learned counsel for the State opposes the prayer for bail. He submits that there is specific allegation that the informant's daughter was killed by the petitioner and his family members by pressing her neck which is also supported by the opinion of the doctor recorded in the post mortem report stating that the death occurred due to asphyxia with the effect of throttling.

In view of the specific allegation against the petitioner as also the fact that the informant's daughter died within seven years of marriage at her matrimonial house in unnatural circumstance, prayer for bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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