

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7394 of 2021**

Arising Out of PS. Case No.-88 Year-2020 Thana- BARUN District- Aurangabad

Amit Ram aged about 30 years, (Male) son of Kishun Deo Ram, Resident of village- Sirish, Police Station Barun, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

**Appearance :**

For the Petitioner : Mr.Kamlendra Prasad Singh, Advocate  
For the State : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      20-07-2021      In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

3. Heard learned counsel for the petitioner and learned counsel for the State.

4. The petitioner seeks bail in Barun PS Case No. 88 of 2020, instituted for the offence under Sections 304(B),34 of the Indian Penal Code.

5. The prosecution case is that petitioner's wife has been done to death for non-fulfillment of the demand for dowry. The postmortem report shows injury on the left side on the back of her neck which corroborates the allegation of deceased having been axed by the petitioner.

6. The learned counsel for the petitioner submits that



since about one month prior to the alleged occurrence, the petitioner was not in his normal state of mind. Another submission is that, on the fateful day, some criminals had entered into the house and, in the process, the victim has sustained the fatal injury. The petitioner is languishing in custody since 04.06.2020.

7. The learned APP representing the State has opposed the prayer for bail. She submits that the medical evidence corroborates the allegation. The petitioner is the husband and owes the prime responsibility for the dignity and safety of his wife. Record reveals that there is no psycho analysis to support the theory that the petitioner was suffering with any mental stability. Neither there is any information lodged from the petitioner's side in respect of any attempt to break into the house.

8. Considering the rival submissions, this Court, for the present, is not inclined to extend the privilege of bail to the petitioner. Petition is rejected.

**(Madhuresh Prasad, J)**

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