

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9543 of 2021

Arising Out of PS. Case No.-177 Year-2020 Thana- KHIJARSARAI District- Gaya

RAKESH CHAUHAN Son of Late Ramashish Chauhan Resident of Village -
Mahmadpur, P.S.- Khizarsarai, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sanjay Kumar Tiwari
For the Opposite Party/s :	Mr.Arvind Kumar Pandey
	Mr. Tej Narain Singh
	Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Khizarsarai P.S. Case No.
177 of 2020, registered for the offence punishable under
Sections 304(B)/34 of the Indian Penal Code.

As per the prosecution case, informant's daughter was
married with this petitioner three years ago. After marriage,
petitioner and his family member started demanding dowry. It is
further alleged that petitioner and his family members
committed murder of informant's daughter due to non-
fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that the



deceased committed suicide and in support of the same he has referred para 5 of the case diary in which the Investigating Officer has found the room locked from inside in which the deceased was found hanging. It is further submitted that from postmortem report it appears that the Doctor has opined that above-noted findings were antemortem and dangerous to life in ordinary course of nature and caused by suspension of body through neck by soft and flexible ligature material. Cause of death is Asphyxia and shock due to hanging. Petitioner is in custody since 19.06.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of her marriage, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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