

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15431 of 2021**

Arising Out of PS. Case No.-86 Year-2016 Thana- BHAGWANPUR District- Begusarai

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KANHAIYA SINGH Son of Sita Ram Singh Resident of Village- Mahdauli,
P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party : Mr. Tarkeshwar Nath Thakur A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in Bhagwanpur Police Station Case No. 86 of 2016/ Sessions Trial No. 606 of 2019 registered for the offences punishable under sections 304B/34 of the Indian Penal Code.

As per the prosecution case, informant's daughter was married to the petitioner two years ago. Soon thereafter petitioner and his family members started subjecting her to cruelty and harassment for dowry and ultimately they killed her due to non-payment of dowry demand.

Learned counsel for the petitioner submits that the alleged occurrence took place on 9.4.2016 and the FIR was lodged on 21.4.2016 without any explanation of delay. It is further submitted that the informant's daughter died during



course of treatment in the hospital and informant and his relative were also present in the funeral of the deceased and UD case had also been lodged by the petitioner.

Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation that the petitioner used to demand dowry and committed torture on her and in league with his family members killed his wife in a planned conspiracy.

Considering the rival submissions of the parties, materials available on the record and the fact that demand of dowry and allegation of committing torture as well as the fact that the informant's daughter 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)

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