

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3453 of 2022

Arising Out of PS. Case No.-39 Year-2020 Thana- RAHIKA District- Madhubani

Prabhakar Jha S/o Bamdeo Jha @ Wamdeo Jha R/o Village- Saurath, P.S.-
Rahika, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Rahika P.S. Case No. 39
of 2020, registered for the offence punishable under Sections
304(B), 34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
co-accused persons committed murder of informant's daughter
due to non-fulfillment of demand of dowry. Petitioner is
husband of the deceased.

It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence. No such
occurrence has ever taken place and there was no demand of
dowry by the petitioner. In fact, deceased died of diarrhea. There
is general and omnibus allegation. Moreover, petitioner after



death of his wife informed the informant and informant attended the funeral. Petitioner is in custody since 04.08.2021 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 marriage at her matrimonial home, 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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