

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5332 of 2022

Arising Out of PS. Case No.-140 Year-2020 Thana- GORAUL District- Vaishali

MD. NURUDDIN @ MD. NOORUDDIN SON OF MD. ISLAM R/O
VILLAGE- MOHAMMEDPUR POJHA, P.S.- GORAUL, DISTRICT-
VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Soni Srivastava
		Mr. Ravi Bhardwaj
For the Opposite Party/s :		Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Section 304(B)/34 of the Indian Penal Code.

It is a case of 'Dowry Death' and this petitioner alongwith other co-accused are alleged to have killed the niece of the informant, due to non-fulfillment of demand of dowry.

Petitioner denied the allegation and submits that informant has filed the case only for the purpose of extracting money from him. In fact, the deceased committed suicide by hanging herself. Father-in-law and mother-in-law of the deceased have already been granted bail by this Court, vide order dated 16.03.2021 in Cr.Misc. No. 4143 of 2021. There is no specific allegation of demand of dowry against this petitioner and he is in custody since 29.11.2021.



However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry. Deceased has died in an unnatural circumstances within seven years of marriage.

Considering the nature and gravity of offence and petitioner is husband of the deceased and there is specific allegation of demand of dowry against him, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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