

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7449 of 2022

Arising Out of PS. Case No.-165 Year-2020 Thana- ASHTHAWAN District- Nalanda

RAMPRAVESH MISTRY S/o Siyaram Mistry @ Shivram Mistry R/o
village- Akbarpur, P.S.- Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-08-2022 Order No.3 has inadvertently been typed in place of
Order No.2 in the order dated 22.06.2022.

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

The petitioner seeks bail in a case registered for the
offence under Sections 498A, 304B/34 of IPC.

Allegation against the petitioner is of committing
torture and caused death of the victim due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent. He has falsely been implicated
in the present case. He further submits that in fact the petitioner
is husband of the deceased and it appears from the FIR that
there is no specific allegation against the petitioner with regard



to the demand of dowry. He further submits that the marriage performed in the year 2010 and Sections 498A and 304B IPC were not attracted against the petitioner and the petitioner is in custody since 31.08.2021.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the basis of the material available on the record and the case diary and submits that the allegation, as alleged in the FIR, confirmed in the postmortem report.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Ashthawan P.S.Case No.165 of 2020 pending in the court of learned J.M. 1st Class, Nalanda.

Prayer is refused.

(Rajesh Kumar Verma, J)

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