

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.18116 of 2022**

Arising Out of PS. Case No.-310 Year-2021 Thana- AAJAM NAGAR District- Katihar

PRAKASH SHARMA Son of Late Dhupai Sharma Residnet of village -  
Manjariya, P.S.- Azamnagar (Salmari O.P.), District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                   |
|----------------------------|---|-----------------------------------|
| For the Petitioner/s       | : | Mr. N.K. Agarwal, Senior Advocate |
|                            |   | Mr. Md. Musowir, Advocate         |
| For the Opposite Party/s : |   | Mr. Bharat Bhushan, APP           |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
ORAL ORDER

3      30-08-2022                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

The petitioner is in judicial custody in connection  
with Azamnagar P.S. Case No. 310 of 2021 for the offences  
under Sections 304(B)/34 of the Indian Penal Code.

The allegation in the FIR is that the daughter of the  
informant was married to the petitioner in 2014 but she was  
regularly tortured for dowry and on the fateful day, he came to  
know that she has been strangled.

In this case, case diary was called for on 26.07.2022  
which has since been received and perused by the learned APP.



Mr. N.K. Agarwal, learned Senior counsel for the petitioner submits that on perusal of different paragraphs of the case diary shows that the lady was ill and she may have resorted to suicide.

Mr. Bharat Bhushan, learned APP for the State, on the other hand, submits that ultimately the charge sheet stands submitted under Section 302 and 201 of the Indian Penal Code.

Considering the aforesaid fact that the petitioner is the husband of the deceased who cannot exonerate himself from the alleged death of his wife, this Court is not inclined to grant him the privilege of bail for the present and the same is accordingly, rejected.

**(Rajiv Roy, J)**

Jagdish/-

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