

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27569 of 2021

Arising Out of PS. Case No.-721 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Nanda Mali Son Of Ram Surat Mali Resident Of Village - Palaka, P.S.-
Bhabua, District - Kaimur At Bhabua.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mirityunjay Kumar
For the State	:	Mr. Mithlesh Kumar Khare
For the Informant	:	Mr. Dhaneshwar Prasad Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-04-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

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

The learned counsel for the petitioner submits that the
petitioner is in custody since 03.12.2019, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

The learned counsel for the petitioner submits that the
informant alleges that his daughter was married with the
petitioner on 23.06.2018. On 02.12.2019, the son of the
informant received information on his mobile that his sister has



committed suicide as after the marriage, the accused were demanding the motorcycle.

The learned counsel for the petitioner submits that the petitioner, being the husband, has been falsely implicated in the present case. Informant is not an eye witness to the occurrence and as far as demand of dowry is concerned, the same appears to be general and omnibus in nature. The F.I.R. itself discloses that the brother of the deceased received information that his sister had committed suicide, as such, the petitioner deserves bail.

The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application and submits that the marriage was only an year old and even presuming what has been alleged is true, then also the presumption is against the petitioner in terms of Section 304(B) of the IPC. The learned counsel for the informant further submits that a girl, who has been married recently, would never commit suicide, until and unless, the condition has been made so conducive by the husband and her family members, but she has no option but to take her life. The learned counsel for the informant further submits that it was the petitioner, who made the condition so conducive for the deceased that she has no



option, but to commit suicide.

The Court concurs with the submission of the learned counsel for the informant and not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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