

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23263 of 2022

Arising Out of PS. Case No.-516 Year-2021 Thana- PHULWARISHARIF District- Patna

Ranjit Kumar @ Ranjit Paswan Son Of Sunil Paswan R/O Village- Bodhgaya,
P.S.- Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Phulwarisharif P.S. Case No. 516 of 2021 and S. Trial No.
103/2022 registered u/s 304(B), 504, 506, 509/34 of I.P.C.

As per the allegation made in the F.I.R., the marriage
of daughter of the informant was solemnized with the petitioner
in the year 2017 and out of the said wedlock, they have two
little daughters. In the marriage, expense of more than 2 lakh
rupees is alleged to be made but the in-laws of the daughter of
the informant were not satisfied and they were started
demanding, upon which the informant had provided golden

chain and cash to them. It has been alleged that upon further threatening to kill his daughter, bed and cash of rupees 20,000/- was also given. Thereafter, the informant went to Punjab, where he received information that his daughter was killed. He immediately reached to the place of occurrence and lodged the present F.I.R.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that under section 304 (B) which has categorically mean that it is soon before the wife's death, wife was subject to cruelty and harassment by her husband and her in-laws, it is necessary ingredient about the applicability of Section 304 (B). He further submits that here in the present case neither such allegation nor any such occurrence directly or indirectly occurred.

He further submits that petitioner is in custody since 26.06.2021 having clean antecedent, charge sheet has already been filed and subsequently trial has also commenced and presently case is running as Session Trial No. 103 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that from the F.I.R., it is very much clear that the demand of dowry was there, the father of the deceased

fulfilled that demand and he returned to his place of work with anticipation that her daughter shall live happily with her husband. But instead of living happily, his daughter was alleged to be killed leaving her to two female child.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner due to two reasons i.e. (i) If the deceased was killed then the petitioner does not deserve for bail. (ii) If the deceased committed suicide then also it is an extreme situation when a female had taken the said decision to commit suicide, leaving her two kids and particularly in a family, it is the husband on whose faith any female used to reside in the family in which the petitioner failed. Therefore, I am not inclined to grant bail to the petitioner and his bail application is hereby rejected.

(Dr. Anshuman, J.)

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