

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36239 of 2021

Arising Out of PS. Case No.-205 Year-2020 Thana- BAKHTIARPUR District- Saharsa

VISHAL KUMAR Son of Yugal Kishore Sah Resident of Village - Rani Hat
Simri Bakhtiyarpur, P.S.- Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Sah

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video conferencing.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 302/ 304B/34 of the Indian Penal Code and u/s 3/4 of Dowry Prohibition Act.

As per the prosecution case, this petitioner along with other accused persons is said to have killed the victim due to non-fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. There is no eye witness of the occurrence and petitioner never demanded any dowry or tortured the deceased. The victim committed suicide as she wanted to marry another person after



divorcing this petitioner. It is submitted that during the course of investigation many witnesses have stated that deceased committed suicide. Petitioner claims clean antecedent and is in custody since 18.09.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner is husband of the deceased and deceased died within seven years of marriage in her matrimonial house under unnatural circumstances and there is allegation of demand of dowry.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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