

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32723 of 2021

Arising Out of PS. Case No.-79 Year-2019 Thana- PIPRA District- Patna

VIKASH KUMAR SON OF DINESHWAR PRASAD @ DINESHWAR RAI
Resident of Village - Shekhpora, P.S.- Pipra, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Asha Kumari, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Pipra P.S. Case No. 79 of 2019 instituted for the offences under
Sections 341, 323, 498(A), 304(B)/34 of the Indian Penal Code
read with Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 20.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in this case and
is husband of the deceased. It is further submitted that the
informant in the FIR alleges that his daughter was married with
Vikash Kumar (petitioner) in the year 2017 and out of wedlock
has a child, further after marriage petitioner along with his



family members were demanding Rs.1,00,000/-, bullet motorcycle and one Katha land for which the informant had instituted an information in the concerned police station, further daughter of the informant on 19.07.2019 informed the informant that her husband and his family members have made her consume poison. Accordingly, the informant reached the place of occurrence and with the help of police got her admitted in a private nursing home at Punpun from where she was referred to PMCH and accordingly, she was admitted in PMCH on 20.07.2019 where she died during course of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The father-in-law, mother-in-law has been granted bail and the deceased on her volition had consumed poison.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner and submits that the postmortem report records that deceased had consumed Salphos. It is further submitted whether she consumed herself or was made to consume become immaterial as marriage was only three years old and death was due to consumption of poison and the informant being husband must be the cause for a newly wed to consume poison knowing very well that the same would lead



to death.

Considering the fact that the petitioner is the husband and the marriage was only three years old, the Court for the present is not persuaded to enlarge the petitioner on bail.

Accordingly, prayer for bail is refused.

(Satyavrat Verma, J)

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