

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34341 of 2022

Arising Out of PS. Case No.-7 Year-2021 Thana- BEN P.S. District- Nalanda

SIKANDER KUMAR @ SIKANDER RAM @ BITTU S/o Ram Prasad Ram
@ Ram Prasad R/o - Vill- Jhandu Bigha, P.S. - Ben, Distt.- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under sections 304(B)/34 of
the Indian Penal Code, in connection with Ben P.S. Case No. 07
of 2021.

As per the prosecution story, it has been alleged
that the deceased had married the present petitioner a year ago
but was regularly tortured for want of dowry and on 11.1.2021
he got information about death of his sister.

It is alleged that in course of investigation, it has
come that she had a fight with her mother-in-law after she
committed suicide.



Learned APP on the other hand submits that the mother-in-law moved before this Court and took the alibi that she is separate in mess and bound with the couple and has no concern with the alleged occurrence and as such now the petitioner cannot be allowed to take different alibi.

Taking into account the aforesaid facts that the petitioner is the husband, he cannot escape the responsibility from having failed to protect the lady who is now no more as also the fact that the FIR was lodged on 11.1.2021 and the petitioner came into judicial custody only on 25.5.2022, this Court is not inclined to grant any relief to him and the bail application is accordingly rejected.

(Rajiv Roy, J)

Ravi/Ajay Singh

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