

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46704 of 2021

Arising Out of PS. Case No.-161 Year-2020 Thana- MEHANDIA District- Jehanabad

DIGVIJAY SHARMA @ PINTU S/o RAMESHWAR SINGH R/o USRIDIH,
P.S-MAHENDIA, DISTRICT-ARWAL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Arun Kumar, Advocate
For the Opposite Party/s :	Mr.Dr. Ajeet Kumar, APP
For the Informed :	Mr.Vikash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 304B and 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 14.12.2020, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that his daughter was married to the petitioner
in the year 2017, after marriage the accused persons including
the petitioner were demanding Bolero vehicle and for non-
fulfillment of the dowry demand, the daughter of the informant



was tortured and the accused persons finally killed the victim by hanging.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated merely because he is husband of the deceased. It is further submitted that during the course of investigation the independent witnesses have stated that the police had to break the door to enter the room and thereafter the dead body of the deceased was found hanging from the ceiling fan. Learned counsel submits that it has also come during the course of investigation that the petitioner was doing a private job in Patna and he was informed about the occurrence and thereafter he came to the place of occurrence, it is thus submitted that when the occurrence was committed, the petitioner was not even at his home rather he was at Patna where he was doing a private job. Learned counsel further submits that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is also submitted that the deceased committed suicide and was not killed.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner and submit that even presuming what has been submitted by the learned counsel for the petitioner is true, for



the present, then it was the husband who created conditions conducive for the deceased to take the extreme step of taking away her life. It is also submitted that the marriage was only three years old and as such the presumption is also against the petitioner.

Considering the submissions made by learned counsel for the informant and learned A.P.P. for the State, the Court, for the present, is not inclined to grant bail to the petitioner. His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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