

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40525 of 2022

Arising Out of PS. Case No.-25 Year-2020 Thana- PARSAUNI District- Sitamarhi

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AJAY RAI S/O SEWAK RAI Resident of Village- Sundargama, P.S.-
Parsauni, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bharat Lal

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-11-2022 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 304(B), 201, 34 of the
IPC.

As per FIR, the accused persons including the
petitioner caused death of the daughter of the informant due to
non fulfillment of demand of dowry.

Learned counsel appearing for the petitioner submits
that the petitioner was away in connection of his livelihood at
Delhi during the time of occurrence and is not responsible for
the death of the deceased. As such there is no allegation of
overt act against the petitioner. Petitioner has got no criminal
antecedent.



Learned counsel appearing for the State opposes the prayer for bail and submits that the petitioner is the husband of the deceased and there is specific allegation against him that he along with his family members committed murder of his wife for non fulfillment of demand of dowry.

Considering the nature of accusation, and the fact that the victim died within 7 years of marriage at her matrimonial house in unnatural circumstances, prayer for bail of the petitioner is refused with direction to the petitioner to surrender and seek regular bail, which would be disposed of on its own merit without being prejudiced by this order.

(Prabhat Kumar Singh, J)

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