

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52841 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- BHORE District- Gopalganj

Rakesh Kushwaha Son Of Rudal Kuswaha R/o Village- Bishunitola, P.S.-
Bhore, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devanand Tiwari

For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Bhore P.S. Case No. 48 of
2020, registered for the offence punishable under Sections
304(B), 120(B) and 34 of the Indian Penal Code.

As per the FIR, this petitioner along with other co-
accused persons committed murder of informant's daughter by
pressing her neck due to non-fulfillment of demand of dowry.
Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence. No such
occurrence has ever taken place and there was no demand of
dowry by the petitioner. There is general and omnibus
allegation. In fact, deceased committed suicide and as per



postmortem report the cause of death is Asphyxia due to hanging. Petitioner is in custody since 22.07.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of marriage, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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