

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53590 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- PANAPUR District- Saran

Mukesh Rai, Son of Late Munna Rai Resident of Village- Chakiya, P.S.-
Panapur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 21-02-2022 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner seeks bail in connection with Panapur
P.S. Case No. 18 of 2020 registered for the offences under
Sections 302, 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 19.03.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner further submits
that informant's daughter was married to the petitioner in the
year 2014, after marriage the deceased was tortured by the
petitioner and his family members, the deceased in the year
2019 had filed a case against the petitioner, but after grant of
bail petitioner brought the deceased to her matrimonial home.
Further on 05.02.2020 at about 03.00 PM the brother of the



deceased had gone to meet her and found her dead, accordingly, the informant was informed and he came to the place occurrence and found his daughter dead, accordingly the police was informed and it is alleged that accused persons killed her by strangulation.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, merely because he is the husband, he was not present when the occurrence took place, further neither the informant nor the brother of the deceased are eye witness to the occurrence. Learned counsel for the petitioner further submits that from perusal of the allegation as alleged in the FIR, it would manifest that the FIR does not even remotely whispers that there was any demand of dowry for which the deceased was being tortured.

The learned APP opposes the bail application and submits that the marriage took place in the year 2014 and within six years of marriage the deceased died, further from the FIR it is evident that there was dispute between the deceased and the petitioner which led to institution of an FIR in the year 2019, and after release on bail the petitioner brought the deceased to her matrimonial home where she died on 05.02.2020. The learned counsel thus submits that being husband it was responsibility of



the petitioner to ensure the well being of the deceased. It is further submitted that death did take place and whether the petitioner was present at the place of occurrence or not is not of much relevance in the nature of allegation as alleged.

Considering the submission made by the learned counsel for the informant the court is not inclined to grant bail to the petitioner.

The application stands rejected.

(Satyavrat Verma, J)

Prakash Narayan /-

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