

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40797 of 2020

Arising Out of PS. Case No.-77 Year-2019 Thana- SAKRA District- Muzaffarpur

Raju Kumar Son Of Dilip Kumar Ray Resident of Village - Shahpur Jumed
Tola laxmipur, Gorihar Khalik Nagar, P.S.- Sakra,(Bariyarpur), Distt.-
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan Sinha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

20 07-02-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Sakra P.S. Case No. 77 of
2019, registered for the offence under Section 304(B)/34 of the
Indian Penal Code.

It is a case of 'Dowry Death'. The petitioner, who is
husband of the deceased, is alleged to have committed her
murder due to non-fulfillment of demand of dowry.

It is submitted that petitioner is quite innocent and no
such occurrence has taken place. As a matter of fact, the
petitioner was working at *Gujrat* and the deceased insisted to
take her to *Gujrat* and due to petty dispute, she committed
suicide by hanging. *Post-mortem* report also suggests that the



deceased died due to *Asphyxia* as a result of *ante-mortem* hanging. Petitioner is in custody since 26.03.2019.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry against him. Deceased has died within seven years of marriage in an unnatural circumstances.

Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected. However, since the petitioner is in custody since 26.03.2019, the learned trial court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J)

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