

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59486 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- PATORI District- Samastipur

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NIRAJ KUMAR @ FEKU RAI Son of Ravindra Ray @ Malbabu Resident of
Village - Amdipur, P.s.- Patori, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2022 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 304B/34 of the Indian
Penal Code.

As per the prosecution case, this petitioner along with
his family members committed torture and killed the daughter
of informant due to non-fulfillment of demand of dowry.

Petitioner happens to be husband of the deceased.
Learned counsel appearing for the petitioner submits that no
such occurrence, as alleged in the FIR, has ever taken place.
There is no eye witness of the occurrence and petitioner never
demanded any dowry or tortured the deceased. The victim
committed suicide and this fact is supported by post mortem
report wherein cause of death has been found to be asphyxia.



Petitioner claims clean antecedent and is in custody since 20.07.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail and submits that petitioner is husband of the deceased and deceased died within one year of marriage in her matrimonial house under unnatural circumstances and there is allegation of demand of dowry.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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