

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62029 of 2021

Arising Out of PS. Case No.-153 Year-2011 Thana- BAKHTIYARPUR District- Patna

BALIRAM RAI S/o Late Sital Rai Resident of Village - Kala Diyara, Police
Station - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B, 498A, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons including the petitioner herein who happens to be the husband of the deceased tortured the deceased for nonfulfilment of demand of dowry to the tune of Rs.25000/ in cash, colour television and Hero Honda motorcycle.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of his being the husband of the deceased. The marriage between the parties took place in the year 2004. There was no complaint in the past. There is an inordinate delay of several



days in lodging of the FIR. The petitioner is in custody since 16.1.2021 and undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and on perusal of the records it transpire that the petitioner who happens to be the husband of the deceased, in the case lodged in the year 2011 absconded for 10 years and was taken into custody only on 16.1.2021.

In view of the allegations in the FIR, relationship of the petitioner together with the petitioner having absconded for 10 years, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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