

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63394 of 2021

Arising Out of PS. Case No.-64 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

PANKAJ SHARMA Son of Shankar Sharma Resident of Village -
Maheshpur, P.S.- Piri Bazar, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh

For the Opposite Party/s : Mrs.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case registered for the offence under Section 304(B)/ 34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

As per the prosecution case, this petitioner alongwith his family members committed torture and killed the sister of the informant by administering her poison due to non-fulfillment of demand of dowry.

It is submitted on behalf of petitioner that no case under Section 304(B) of the Indian Penal Code is made, since the marriage was solemnized ten years ago and as such, police, after investigation, submitted chargesheet under Section 302 of the Indian Penal Code. It is next submitted that petitioner never demanded any dowry or committed torture. There is general and omnibus allegation. Petitioner is in custody since 09.05.2021.



However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of the deceased and there is specific allegation against him of demand of dowry and administering poison to deceased. In the viscera report, it has come that *Celphos* was used in the crime, which is highly poisonous. Deceased has died in an unnatural circumstances at her matrimonial home.

Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is allegation of torture and demand of dowry, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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