

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64181 of 2021

Arising Out of PS. Case No.-343 Year-2021 Thana- GOGRI District- Khagaria

SHITESH KUMAR, Son of Dhaneshwar Singh Resident of Village - Baltara,
Police Station - Gogri (Poura), District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Viveka Nandsingh
For the Opposite Party/s	:	Mr.Manoj Kumar
For the informant	:	Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-03-2022 Heard the learned counsel for the petitioner, the
learned APP for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered for the
offences under Section 304 (B) and 34 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 28.07.2021, he is a person with
clean antecedent, charge-sheet has been submitted and the
informant alleges that her daughter was married to the petitioner
on 30.04.2018 and after marriage, the petitioner and his mother
were demanding of four wheeler by way of dowry, further, her
daughter at 6 A.M. on 27.07.2021 informed on phone that the
accused persons have poisoned her, thereafter her mobile was
switched off. Thus, the informant alleges that the petitioner



along with her mother killed her. Further the informant reached P.O. and came to know that her daughter being treated in Sonvarsha Ghat.

The learned counsel for the petitioner submits that the informant is not eye witness to the occurrence, further from perusal of the FIR itself, it would manifest that informant has stated that her daughter was being treated at Sonvarsha Ghat. It is thus submitted that if the petitioner had administered poison to the victim then definitely he would not have taken her to the hospital, it is submitted that the deceased herself consumed poison and the moment the petitioner and his family member came to know about the same, they treated the deceased in hospital.

The learned A.P.P. and learned counsel for the informant vehemently oppose the bail application. The learned counsel for the informant submits that whether deceased consumed poison by herself or was made to consume poison or will be seen in trial the fact remains that the deceased died of poison and even if it is presumed for the present that the deceased herself took poison then it is the petitioner who is the husband made the conditions conducive for the deceased to take extreme step coupled with the fact that allegation of dowry



demand is there.

Considering the submission made by learned counsel for the informant as well as learned counsel for the State, the Court, for the present, is not inclined to grant bail to the petitioner, therefore, the prayer for bail of this petitioner is rejected.

(Satyavrat Verma, J)

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