

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65190 of 2021**

Arising Out of PS. Case No.-412 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Santosh Kumar Son of Sri Nath Rai @ Shiv Nath Rai Resident of Village -
Dighi Kala East, P.S. Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Hajipur Sadar P.S. Case No. 412 of 2017, registered for the offence under Section 304(B) / 120(B) of the Indian Penal Code.

The petitioner is alleged to have committed torture and caused death to the sister of the informant due to non-fulfillment of demand of dowry.

It is submitted that petitioner happens to be husband of the deceased. In fact, the deceased was suffering from some mental disease before the marriage, for which, she was treated at different hospitals at Kolkata and ultimately, at P.M.C.H., Patna, where she died. Petitioner has been falsely implicated in this case only on suspicion and only with a view to extort money,



this false case has been lodged against petitioner. Petitioner is in custody since 21.08.2021.

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 torture and demand of dowry against him. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial home.

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.

(Prabhat Kumar Singh, J)

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