

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69185 of 2021**

Arising Out of PS. Case No.-69 Year-2021 Thana- SARSI District- Purnia

Deepak Mehta Son of Laxmi Mehta Resident of Masuriya, P.S.- Sarsi, District
- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Anil Prasad Singh

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

2 07-03-2022 Heard learned counsel for the parties.

The petitioner seeks bail in Sarsi P.S. Case No. 69 of 2021, registered for the offence under Section 304(B) of the Indian Penal Code.

It is a case of 'Dowry Death'. The petitioner is alleged to have committed the murder of his wife due to non-fulfillment of demand of dowry.

It is submitted that marriage of the petitioner was solemnised with the deceased more than seven years ago, hence, no offence under Section 304(B) of the I.P.C. is made out. In fact, the deceased died due to fall from tree. No demand of dowry was ever made by the petitioner and there is no evidence in the case diary showing complicity of the petitioner in the alleged occurrence. Petitioner is in custody since 04.07.2021.



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 demand of dowry. Deceased has died in an unnatural circumstances at her matrimonial home and doctor has found the cause of death due to strangulation.

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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