

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.689 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- ROHTAS District- Rohtas

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VIJAY KUMAR S/O LATE SHYAMLAL SINGH @ SHYAMLAL YADAV
R/o village- Baknaura, P.S.- Rohtas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra
For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 323, 379, 304(B)/34 of the Indian Penal Code.

As per the F.I.R., the petitioner alongwith his family members committed torture and caused death of daughter of the informant due to non-fulfillment of demand of dowry.

Petitioner happens to be husband of the deceased. There is general and omnibus allegation of committing torture and demand of dowry. Petitioner never demanded any dowry. Section 304(B) of the I.P.C. is not applicable, since marriage of petitioner and deceased was solemnised 8 years ago and out of the wedlock, two children were born and both were living with petitioner. As a matter of fact, the deceased committed suicide



due to consuming poison and when petitioner came to know about the incident, he immediately took her to hospital where in course of treatment, she died. Petitioner is in custody since 30.01.2021.

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 against him. 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, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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