

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5883 of 2022

Arising Out of PS. Case No.-106 Year-2021 Thana- SILAO District- Nalanda

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SONU KUMAR SON OF PRAKASH RAM R/O VILLAGE- BICHHAKOL,
P.S.- SILAO, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-01-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection with Silao PS case no. 106 of 2021 instituted for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The case of the prosecution in brief is that the marriage of the sister of the informant was solemnized according to Hindu rites and rituals with the petitioner. It is alleged that after marriage, the petitioner and his family members used to torture the sister of the informant on account of non-fulfilment of the demand for motorcycle by way of dowry. It is also alleged that on 30.07.2021 at about 6 in the evening, the sister of the informant had called the informant on mobile phone and had informed that the accused persons



including the petitioner herein were beating her brutally and they would kill her, whereafter the informant used to call her sister. On the fateful night at about 9 pm, the sister-in-law of the sister of the informant had called the informant and told him that his sister has become ill, hence she was being taken to Bihar Sharif for treatment. The informant along with their family members had then gone to the matrimonial home of his sister, where they did not find any family member present there and upon search, the sister of the informant was found lying dead in the *dalan* of the house.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and is languishing in custody since 06.08.2021. The learned counsel for the petitioner has further submitted that the trial is on the verge of completion and the informant has filed a petition before the learned court below stating therein that on account of mistaken facts, the present case has been lodged, hence it is submitted that the present case be adjourned by few weeks, awaiting the result of the trial in question.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.



I have heard the learned counsel for the parties and gone through the materials on record as also perused the case diary, from which, it is apparent that the complicity of the petitioner in the alleged crime is writ large and *prima facie*, the petitioner who is the husband of the deceased victim lady, is responsible for the death of his wife, hence I do not find any merit in the present petition, as such, the same stands dismissed.

(Mohit Kumar Shah, J)

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