

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11193 of 2023**

Arising Out of PS. Case No.-167 Year-2014 Thana- MAHILA P.S. District- Siwan

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SANJIT SHARMA S/O SHIV KUMAR SHARMA Resident of Village-
Bamo, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Uday Chand Prasad

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

2 16-05-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 304(B)/201 of the Indian Penal Code.

It is a case of ‘Dowry Death’.

Petitioner happens to be husband of the deceased and there is specific allegation against him that he alongwith other family members committed murder of daughter of informant, due to non-fulfillment of demand of motorcycle, as dowry.

It is submitted on behalf of petitioner that F.I.R. has been lodged after a delay of three weeks without any explanation. Informant is not eye-witness of the alleged occurrence. During course of investigation, father of the victim assured to produce the victim, which itself falsifies entire



prosecution case. The entire case is baseless and concocted. Moreover, both parties have compromised the case before the Court below and to this effect, Annexure – 2 has been brought on record. Petitioner has got no criminal antecedent.

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 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 and there is specific allegation of demand of dowry, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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