

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29732 of 2022

Arising Out of PS. Case No.-204 Year-2021 Thana- SHAMBHUGANJ District- Banka

PAWAN KUMAR YADAV S/o Chamaklal Yadav R/o village- Kaswa, Tola-
Sobhnathpur, P.S.- Shambhuganj, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 09-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent, he is in custody since 25.11.2021 and is the husband of the deceased.

Learned counsel for the petitioner submits that the informant alleges that his daughter was married to the petitioner on 19.07.2021 and after the marriage, the accused persons including the petitioner started demanding a motorcycle and Rs. One lakh cash by way of dowry and for non-fulfillment of the same, it is alleged that his daughter was killed.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the allegation of demand of dowry is general and omnibus in nature, it is also submitted that petitioner is a mentally retarded person.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that marriage was only an year old and the presumption for the present is against the husband of the deceased and if what has been submitted by the learned counsel for the petitioner is true that petitioner is a mentally retarded person then he should not have married but the fact that he got married that amply demonstrates that it is only a plea which has been taken by the petitioner to obtain bail.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of bail to the petitioner.

His prayer for bail is thus rejected.

(Satyavrat Verma, J)

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