

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39244 of 2023

Arising Out of PS. Case No.-105 Year-2022 Thana- KONCH District- Gaya

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Pramod Kumar S/O Late Rambilash Mahto R/O Vill. Shrigaw, Ps. Konch,
Dist. Gaya ... Petitioner

Versus

1. The State Of Bihar
 2. Lalbabu Late Doman Mahto R/O Village- Bahadurpur
- Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Anil Kumar Saxena, Advocate
For the State : Mr. Umanath Mishra, Addl Public Prosecutor
for opposite party no.2 Mr. BK Pandey, AK Pandey, Advocates

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-09-2023 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 304B/34 and other ancillary sections of the Indian Penal Code.

3. It is a case of dowry death and petitioner is husband of the deceased.

4. Learned counsel appearing for the petitioner submits that from the FIR itself it is clear that the petitioner was living at Surat at the relevant time and sister of informant was alone at the matrimonial house. It is further submitted that the petitioner never demanded dowry nor committed torture on the deceased due to non-fulfilment of demand of dowry.

5. Learned counsel for the State and opposite party no.2 oppose the prayer for bail. They submit that the petitioner



is named in the FIR with allegation that he along with his family members subjected informant’s sister to cruelty and harassment for nonfulfilment of demand of dowry. Besides this, post mortem report reveals that cause of death was asphyxia due to hanging.

6. Considering the nature of accusation and the fact that the petitioner is husband of the deceased, who died at her matrimonial house within seven years of marriage under unnatural circumstances, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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