

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42916 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- TARIYANI CHAPRA PS District- Sheohar

DILIP RAI S/o- MANOJ RAY Village- Tajpur Chaur Ps- Tariyani Chhapra
Dist- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Tariyani
Chhapra P.S. Case No. 05 of 2022 registered for the offence under
Sections 304(B), 201/34 of the Indian Penal Code.

The daughter of the informant is subjected to assault
and torture on account of non-fulfillment of demand of dowry by
the petitioner and others and she has finally been done to death
for want of dowry.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offense. He further submits
that as a matter of fact the deceased was suffering from diarrhea



on the date of occurrence and due to severe diarrhea, she has died. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 20.04.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner that he has demanded dowry from the family members of the deceased and on account of non-fulfillment of demand of dowry, he along with his family members killed the deceased and his family members cremated the dead body of the deceased without informing the family member of the deceased. He further submits that number of witnesses have supported the prosecution version.

Considering the facts and circumstances of the case and the rival submission of the parties and the nature of allegation against the petitioner in the F.I.R., this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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