

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47167 of 2023**

Arising Out of PS. Case No.-167 Year-2021 Thana- GANGABRIDGE District- Vaishali

LOKESH KUMAR RAI @ MUKESH KUMAR RAI SON OF DEVENDRA
RAI RESIDENT OF VILLAGE-SAHDULLAHPUR, P.S.- GANGA
BRIDGE, DISTRICT -VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Adv.

For the Opposite Party/s : Mr.Nirmala Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 22-08-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Ganga
Bridge P.S. Case No. 167 of 2021 dated 01.08.2021 registered
for the offence under Sections 304(B)/34 of the Indian Penal
Code.

The sister 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 offence. He further submits that the deceased herself committed suicide by setting her on fire and she died during course of treatment. He further submits that petitioner happens to be husband of the deceased and he has never demanded any dowry nor assaulted the deceased in any manner. 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 21.11.2022.

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 the petitioner happens to be husband of the deceased and he is responsible for the death of her wife. He further submits that it has come during course of investigation that the petitioner was having illicit relation with the wife of his elder brother and the deceased used to protest him on account of that the petitioner has burnt the deceased after pouring kerosene oil over her and this fact has clearly been supported by the witnesses in paragraph Nos. 10, 14, 15, 16, 17 and 18. Apart



from that the postmortem report, which is at paragraph-27 of the case diary, also supports the allegation leveled against the petitioner.

Considering the facts and circumstances of the case and the rival submission of the parties and also the manner of occurrence, 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)

brajesh/-

U		T	
---	--	---	--

