

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50305 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- PHULWARISHARIF District- Patna

Mukesh Kumar Son Of Reuti Raman Prasad Resident Of Village- Jai Hind Colony, Phulwarisharif, Ps- Phulwarisharif, Distt- Patna ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Binod Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 17-08-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 498A/304B/34 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.
3. It is a case of dowry death. It is alleged that the daughter of informant was done to death by all the accused persons including this petitioner on account of non-fulfilment of demand of dowry.
4. Learned counsel appearing for the petitioner while denying the allegation, submits that in fact the deceased was suffering from some stomach disease for which she was admitted to Sri Ram Hospital, Lohia Nagar, Kankarbagh, Patna where she died during treatment. Her family members also participated in cremation. However, complaint was filed after inordinate delay of one month without any explanation which renders the entire prosecution case doubtful.
5. Learned counsel for the State opposes the prayer for bail. He submits that there is specific allegation in the complaint that the petitioner and his family members subjected the victim to cruelty and harassment on account of non-fulfilment of demand of dowry and finally they killed her in a



planned way.

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, petitioner’s prayer for pre-arrest bail is rejected.

(Prabhat Kumar Singh, J)

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