

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51810 of 2023

Arising Out of PS. Case No.-141 Year-2022 Thana- RIGA District- Sitamarhi

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KAMLESH SAHNI Son of Thagan Sahni Resident of village - ward no. 08,
Basantpur, P.S. - Riga, Distt. - Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar , Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-09-2023 1 . Heard learned counsel for the petitioner and the
State.

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

3 . It is a case of dowry death .

4. It is submitted that petitioner happens to be
husband of the deceased. It is next submitted that informant is
not eye witness of the alleged occurrence . Petitioner has never
demanded any dowry. There is one day delay in lodging the
FIR., as a matter of fact petitioner was not present at the time of
occurrence . Father-in-law of the deceased has already been
acquitted and mother-in-law of the deceased has granted bail.
Petitioner claims clean antecedent.



5 . However, learned counsel for the State opposes the bail petition and submits that this petitioner is the husband of the deceased and there is direct allegation of demand of dowry against him and due to non-fulfillment of demand of dowry, he committed the murder of her wife (deceased).

6. Considering the fact that petitioner is husband of the deceased and due to non-fulfillment of demand of dowry, he committed the murder of the deceased and circumstances of the case, prayr for pre-arrest bail of the petitioner is herby rejected.

(Prabhat Kumar Singh, J)

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