

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8285 of 2024

Arising Out of PS. Case No.-177 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Gautam Kumar Son of Dipal Mahto Resident of Village-Atnama, P.S.-Barh,
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 21-06-2024 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in case registered for the
offence under Section 304(B) /34 of the Indian Penal Code.

3. It is a case of ‘Dowry Death’.

4. It is submitted on behalf of petitioner that petitioner
is innocent and has been falsely implicated in this case merely
because he happens to be husband of the deceased. There is no
eye-witness to the occurrence. Petitioner neither demanded any
dowry nor committed any torture to the deceased. In fact, the
deceased herself committed suicide by hanging. It is further
submitted that in this case, charge has already been framed on
06.12.2023, but till date not a single witness has been examined
on behalf of prosecution. Petitioner is in custody since
19.03.2023.



5. However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the bail petition and submitted that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture and demanding dowry. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific and direct allegation against him, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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