

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11455 of 2024

Arising Out of PS. Case No.-88 Year-2023 Thana- MANSURCHAK District- Begusarai

Santosh Kumar S/o Sakhichand Ram @ Sakhichandra Ram R/o vill -
Govindpur, ward no. 02, P.S. - Mansurchak, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam , Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-05-2024 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 alleged that all the F.I.R., named accused
persons including this petitioner committed murder of the
deceased (victim) due to non-fulfillment of demand of dowry .

4. Learned counsel for the petitioner submits that
petitioner is husband of the deceased and has committed no such
offence as alleged . Informant is not the eye witness of the



alleged occurrence . F.I.R., has been lodged after the delay of two days for which there is no plausible explanation . He further submits that from bare perusal of post mortem report, it is apparent that doctor has opined the death of the deceased due to asphyxia and no other external injury has been found. It is further submitted that during course of investigation the statement of the informant has been recorded in which he has stated that her daughter and the petitioner were working jointly in the orchestra party and from there a love relationship were developed between them and they both solemnized marriage in the year 2021 . Petitioner never demanded any dowry from the deceased or her family members. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the petitioner that he along with other co-accused persons committed murder of the deceased (victim) due to non-fulfillment of demand of dowry . The daughter of the informant died within seven years of marriage in unnatural circumstance at her matrimonial house .

6. Considering the nature of accusation and also the fact that daughter of the informant died within seven years of



marriage in unnatural circumstance at her matrimonial house ,
prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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