

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26019 of 2024

Arising Out of PS. Case No.-128 Year-2023 Thana- KAMTAUL District- Darbhanga

Sharwan Kamti Son of Sikandar Kamti Resident of Village- Brahampur West,
P.S. Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 498(A), 304(B), 120(B) and 201/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the allegation against the petitioner is that he along with other co-accused persons demanded Rs.5,00,000/- as dowry from the informant's daughter and due to non-fulfillment of the same they abused, assaulted and tortured her in various ways and lastly committed murder of the informant's daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that the petitioner is the husband of the deceased and their marriage was solemnized on 12.08.2019 as per Hindu rites and rituals and there was no demand of dowry at all from the deceased by the petitioner and others at any point of time. He further submits that the petitioner is languishing in custody since 24.08.2023. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submits that there is specific overt act against the petitioner.

6. Considering the facts and circumstances of the case and the fact that there is specific overt act against the petitioner, the Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer of regular bail of the petitioner is hereby rejected in connection with Kamtaul P.S. Case No. 128 of 2023.

(Anjani Kumar Sharan, J)

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