

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.17984 of 2024**

Arising Out of PS. Case No.-89 Year-2023 Thana- CHANDAN District- Banka

Chhotu Sharma Son Of Dablu Sharma Resident of Chandan P.S.- Chandan District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

6      18-10-2024                      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) of the Indian Penal Code.

3. It is a case of 'dowry death'. As per F.I.R., daughter  
of informant was married with this petitioner on 02.05.2023 and  
on 29.05.2023, the informant received a telephonic information  
that his daughter has died. On receipt of such information, the  
informant rushed to matrimonial house of his daughter and saw  
that his daughter is lying dead near the door. The informant  
alleged that this petitioner alongwith other F.I.R. named co-  
accused persons committed the murder of his daughter by  
hanging for dowry.

4. Learned counsel for the petitioner submits 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 when petitioner and other family members were outside the house for working in the field. The deceased committed suicide due to her extra-marital affair. Similarly situated co-accused Dablu Sharma has already been granted bail by this Court, vide order dated 01.12.2023 passed in Cr.Misc. No. 75735 of 2023 (Annexure – 2). Petitioner is in custody since 30.05.2023. Chargesheet has been submitted and charges have also been framed.

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. During course of investigation, number of witnesses have supported the prosecution case. 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, the prayer for bail of  
petitioner is rejected.

(Prabhat Kumar Singh, J)

anay

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

