

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16481 of 2024

Arising Out of PS. Case No.-97 Year-2023 Thana- KORANSARAI District- Buxar

Santosh Singh, aged about 27 years, Gender-Male, Son of Satyendra Singh,
Resident of Village- Bairiya, P.S.- Koransarai, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Koransarai PS Case No. 97 of 2023 instituted for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

3. As per the prosecution case, it is case of dowry
death for non-fulfillment of demand of dowry of 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 due to dirty village politics.
Petitioner is the husband of the deceased. No any type of
specific allegation is leveled against the petitioner. Petitioner
has not demanded any dowry from the informant's side. The



independent witnesses have not supported the occurrence of this case but the present case has been lodged by the informant for extortion of money from the petitioner. Petitioner has got no criminal antecedent as stated in para 3 of the petitioner and is in custody since 10.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned District and Sessions Judge, Buxar dated 01.12.2023, on the basis of written report of the informant namely Upendra Singh (father of the deceased) lodged a case against six accused persons including the petitioner namely Santosh Singh (husband). From the record, it transpires that the petitioner is the husband of the deceased and the marriage was solemnized on 20.05.2023, the death has been caused in suspected condition within five months of the marriage and there was also dowry demand soon before the death of the victim. From perusal of the impugned order, it also appears that the doctor opined the cause of death as asphyxia following anti-mortem strangulation, contusion of right shoulder, bleeding from nose and abrasion on both small toes were also found on the body of the deceased.

7. Considering the aforesaid facts and



circumstances, serious nature of the alleged offence committed by the petitioner and material available on record, I am not inclined to grant bail to the petitioner.

8. Accordingly, prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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