

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27101 of 2024

Arising Out of PS. Case No.-362 Year-2023 Thana- BRAHMPUR District- Buxar

Sushila Devi W/o Vashisth Pandit R/o Village Nimage PS Brahmapur, Distt - Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surendra Prasad S/o Shivnath Ram R/o vill and Post - Ariyawa, P.S. - Krishnabrahma, Distt. - Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satrudhan Kumar, Advocate
For the State	:	Mr.Dr. Ajeet Kumar, APP
For the Informant	:	Mr. Anand Kumar Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the informant.

2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 16.10.2023 in Cr. Misc. No. 66289 of 2023.

3. The petitioner seeks bail in connection with Brahmpur P.S. Case No. 362 of 2023 registered for the offence punishable under Sections 304B, 34 of the Indian Penal Code.

4. The following order was passed on 16.10.2023 in Cr. Misc. No. 66289 of 2023 which reads as under:

“Heard learned counsel for the petitioner, Mr. Rajendra Pd. Nat, learned APP for the State and Mr. Anand Kr. Ojha, learned counsel for the respondent.



2. *This application for grant of regular bail arise out of Brahmpur P.S. Case No. 362 of 2023 registered for the offence punishable under Sections 304B, 34 of the Indian Penal Code.*

3. *As per F.I.R, the petitioner along with other coaccused persons is involved in killing of the deceased for demand of dowry.*

4. *Learned counsel for the petitioner submits that there is general and omnibus allegation levelled against the petitioner.*

5. *Learned counsel for the informant submits that the marriage of deceased was solemnized with Shakti Prakash Pandit on 28.02.2023 thereafter, she went to her matrimonial home and started leading her conjugal life. It is alleged that after some months, the husband of the deceased along with accused persons started torturing her and demanded dowry. On account of non-fulfillment of demand, they killed the deceased. The dead body of the deceased was recovered and postmortem was conducted.*

6. *In such a recent marriage, the daughter-in-law of the petitioner has been killed. It appears that the entire family is responsible for killing of the deceased.*

7. *In view of the aforesaid fact, this Court is not inclined to grant bail to the petitioner.*

8. *Accordingly, the prayer of bail of the petitioner is rejected herewith”*

5. From the report it appears that in the case charge has been framed but the prosecution witnesses have not been examined.

6. Learned counsel for the informant submits that the prosecution will examine its witnesses regularly.



7. In these circumstances, when the trial has started I am not inclined to review my order as the deceased was killed by the accused persons for demand of dowry within four months of marriage.

8. This application is dismissed again.

(Sandeep Kumar, J)

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