

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31747 of 2024

Arising Out of PS. Case No.-252 Year-2023 Thana- JAGDISHPUR District- Bhojpur

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Kanchan Prajapati @ Kanchan Pandit @ Kanchan Kumar Pandit Ganesh
Prajapati @ Ganesh Pandit Resident of Village - Dulaur, P.S. - Jagdishpur,
Distt - Bhojpur, Ara.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 5 30-08-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner seeks regular bail in a case registered for the offence punishable under sections 304B/34 of the Indian Penal Code.
3. It is a case of dowry death. Petitioner was married with daughter of informant on 31.5.2022. Later on, petitioner and his family members started subjecting her to torture and harassment for non-fulfilment of demand of motorcycle and ornaments as dowry and on 18.6.2023 she was killed by the accused persons.
4. Learned counsel appearing for the petitioner, while denying the allegation, submits that the petitioner has falsely been implicated in this case because petitioner is husband of of the deceased. Informant is not eye witness of the occurrence. As a matter of fact, daughter of informant was a short temper lady and she wanted to live with her husband for which she quarreled with him and in a fit of anger, she committed suicide by hanging. Information regarding death was communicated to the informant. Thereafter, informant participated in cremation and he demanded money and on refusal this case was lodged with false and concocted allegations. Petitioner is in custody



since 19.9.2023.

5. Learned counsel for the State opposes the prayer for bail. Learned counsel for opposite party no.2 submits that petitioner is the husband of the deceased and in the FIR, there is direct and specific allegation that he and his family members killed the deceased for non-fulfilment of dowry demand. Post mortem report also reveals that cause of death was strangulation.

6. Considering the nature of accusation and the fact that the petitioner is husband of the deceased, who died in unnatural condition within a year of marriage in her in-laws house, prayer for regular bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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