

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36769 of 2024

Arising Out of PS. Case No.-854 Year-2023 Thana- CHAPRA TOWN District- Saran

=====

Amit Kumar @ Amit Gupta S/o Ashok Gupta R/o vill - Katahari Bag
(Bajrang, Colony), P.S. - Chhapra Town, Distt.- Chhapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raushan Raj, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP 84

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 20-09-2024 Heard Mr. Raushan Raj, learned counsel for the

petitioner and Mr. Arvind Kumar Pandey, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
16.11.2023, in connection with Nagar Thana P.S. Case No. 854
of 2023, FIR dated 15.11.2023 registered for the offence under
Sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, petitioner and other
co-accused persons have killed the daughter of the informant by
pressing her neck on non-fulfillment of the demand of dowry.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case merely on
the ground that the petitioner is husband of the deceased. He



further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and in fact the deceased has committed suicide herself. The petitioner is rotting in judicial custody since 16.11.2023.

5. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record in the case diary has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and dead body of the victim was found in the house of the petitioner and cause of death as mentioned in the post-mortem report is “*Asphyxia due to hanging*”.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Nagar Thana P.S. Case No. 854 of 2023 pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

