

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39950 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- DARBHANGA SADAR District-
Darbhanga

Awadhesh Bari Son of Kishun Bari Resident of Village- Sara Mohanpur, P.S-
Sadar, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Baidyanath Prasad, Advocate
For the State	:	Mr. Sanjay Kumar, APP
For the Informant	:	Ms. Minakshi Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2024 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 connection with Sadar
P.S. Case No. 402 of 2023 registered for the offence punishable
under Sections 498A and 304B of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act.

3. As per prosecution case, daughter of informant was
married with this petitioner on 10.06.2020. After marriage, it is
alleged that this petitioner, along with other accused persons,
started demanding dowry and due to non-fulfillment of the
same, the daughter of informant was subjected to torture and
harassment. It is further alleged that on 11.06.2023 at about 4
PM, informant got call from daughter's-in-laws that her
daughter has been hanged to death by her in-laws for dowry.



4. It is submitted by learned counsel for the petitioner that informant is not an eye-witness of the occurrence. Allegations are general and omnibus. As a matter of fact, deceased herself committed suicide. It is further submitted that at the time of occurrence, this petitioner was not present at the place of occurrence and he is in custody since 17.07.2023. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is husband of deceased and there is specific allegation that due to non-fulfillment of demand of dowry, this petitioner, along with other accused persons, killed the deceased. It is further submitted that deceased died unnatural death at her matrimonial house within three years of marriage.

6. Considering the aforesaid facts and circumstances of the case and nature of accusation, the prayer for grant bail of to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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