

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42210 of 2024**

Arising Out of PS. Case No.-25 Year-2023 Thana- SIGAUDI District- Patna

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Dharmendra Singh @ Dharmendra Yadav @ Mandal, S/o Chandrashekhar  
Singh @ Ramjee Yadav, R/o village - Murarchak, P.S. - Sigori, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                |
|----------------------|---|--------------------------------|
| For the Petitioner/s | : | Mr.Nityanand Neeraj, Advocate  |
| For the State        | : | Ms.Nirmala Kumari, APP         |
| For the Informant    | : | Mr. Ram Niwas Prasad, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      20-09-2024                      Heard Mr. Nityanand Neeraj, learned Advocate for the  
  
petitioner and the learned Additional Public Prosecutor for the  
  
State. The informant appears through Mr. Ram Niwas Prasad,  
  
learned Advocate.

2. The petitioner seeks grant of regular bail in  
connection with Sigaudi P.S. Case No.25 of 2023 registered for  
offences punishable under Sections 304(B), 201/34 of the Indian  
Penal Code.

3. Based upon the written report, the prosecution  
alleges that the marriage of the daughter of the informant was  
solemnized six years ago with the petitioner. Soon after the  
marriage, she was subjected to demand of dowry and on account  
of non-fulfillment of the same she was done to death. It is also



stated that from the wedlock of the deceased with the petitioner, there were two children.

4. Learned Advocate for the petitioner contended that even as per the narrations made in F.I.R., it is evident that the marriage was solemnized six years ago and both the parties had two children and as such at this belated stage the demand of any dowry and torture do not inspire confidence. It is next contended that both the families have been residing just within the periphery of 10 K.M. and they are known to each other very well and as such, the allegation that the petitioner has suppressed the factum of earlier marriage is also not reliable. It is also the contention of the petitioner that only because of he being the husband of the deceased, his name has been implicated and now he has been incarcerated since 17.03.2023. It is lastly contended that in fact, on the alleged date of occurrence the deceased died a natural death on account of heart attack and thereafter, after giving proper information to her family members cremation has been done.

5. On the other hand, learned Advocate for the State as well as the informant vehemently opposed the bail application and submit that the investigation reveals that how the deceased was done to death and her body was thrown in an



open place. Death has taken place just within seven years of marriage and before the unnatural death there was a demand of dowry and as such, the presumption of dowry death cannot be ruled out. The petitioner is husband.

6. Regard being had to the submissions made on behalf of the parties and considering the materials available on record which has collected during the course of investigation and the fact that the petitioner is a husband and now the trial is going on and two of the witnesses have been examined, this court is not acceded to the prayer of the petitioner for present.

7. It is expected that the Trial Court shall take all endeavors to conclude the trial expeditiously. In case, the trial is not concluded within the period of six months, the petitioner shall be at liberty to renew his prayer for bail.

(Harish Kumar, J)

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