

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41042 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Sandeep Tiwari S/o- Udaynath Tiwari Village- Birbhanpur Ps- Bhabua Dist- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s : Mr. Arvind Kumar Pandey, (App 84)
For the Informant/s : Ms. Shama Sinha, Adv.
Ms. Asmita, Adv.
Ms. Shreya, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bhabhua P.S. Case No. 407 of 2023 dated 16.05.2023, lodged
under Sections 304(B) and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against five named accused persons including the
petitioner. It is alleged that the deceased was married with the
petitioner on 30.11.2020 and thereafter, the deceased started
living with her in-laws in her *Sasural*, where the petitioner
alongwith co-accused persons started torturing the deceased for
non-fulfillment of motorcycle and gold chain as dowry.

However, informant later on gave gold chain to the petitioner and thereafter, the deceased gave birth to a girl child. It is further alleged that the accused persons again started torturing the deceased. The informant claims that the petitioner alongwith co-accused persons committed murder to his daughter by administering poison.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner has falsely been implicated in this case merely on suspicion. There is no specific allegation of dowry or torture against the petitioner. The allegation levelled is general and omnibus in nature. He further submits that the deceased may consumed pesticide after quarreling with her mother-in-law over family matters. He further submits that the petitioner have no criminal antecedent and he is in custody since 17.10.2023.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that it is a case of dowry death and the petitioner may not be granted bail.

7. In the present facts and circumstances of this case

and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

8. However, liberty is hereby granted to the petitioner that he may renew his prayer for bail nine months after framing of charge.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J)

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