

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47869 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- BARH District- Patna

Sujit Kumar Son of Sri Arvind Yadav @ Arvind Prasad R/O Vill.- Bahrawan,
P.S.- Barh, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 687 of 2023 instituted for the offence under
Sections 302, 307, 498A/34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

3. Prosecution case in short is that the marriage of the
informant was solemnized with the petitioner in the year 2022,
and, since then she was being tortured for dowry. It is alleged
that on the night 19-10-2023, co-accused persons including the
petitioner, pushed the informant along with her daughter in the
well, whereafter, the informant was taken out of the well with
the help of villagers and her daughter was drowned.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31-03-2024. Petitioner is stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is himself the father of deceased and husband of the informant. It is submitted that as per the FIR, there is general and omnibus allegation levelled against the petitioner. There is no eye-witness to the occurrence. Charge sheet has been submitted in this case. It is next submitted that during the course of investigation, it has further transpired that even the family members of the petitioner were first to rescue the present informant, which also goes to show that no occurrence as alleged by the prosecution has taken place.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation against the petitioner of throwing a two-three days old girl child into the well.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer is *rejected*.

8. However, if the trial is not concluded within a



period of six months, petitioner will be at liberty to renew his
prayer for bail.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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