

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51577 of 2024

Arising Out of PS. Case No.-671 Year-2023 Thana- GOPALPUR District- Patna

Abhishek Kumar, (Male), aged about 26 years, S/o Ram Nath Mahto, R/o vill
- Manpur Bairiya, P.S. - Gopalpur, Distt. - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Upendra Kumar Singh, Advocate
For the Informant	:	M/S. Pankaj Kumar Sinha and Ravi Ranjan Mallick, Advocates
For the State	:	Mr. Amitesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Gopalpur P.S. Case No. 671 of 2023 dated 25.10.2023 registered
for the offences punishable under Sections 304B, 120B and
201/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-
accused persons are alleged to have killed the informant's
daughter due to non-fulfilment of demand of dowry.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner is the husband of



the deceased. The petitioner neither tortured the deceased nor demanded any dowry from her. The petitioner is a small farmer and he is engaged in business of production and sell of vegetable. His most of the time spends outside from the house in connection with farming and selling of vegetable. The petitioner alongwith his wife (deceased) and children are residing separate from his other family members as well as parents and they are enjoying their matrimonial life peacefully. The deceased was shot tamper lady and she gets angry over small thing and always threatened to consume agricultural pesticide which was kept in the house for use to control the pests in the field. She was alone at the time of occurrence alongwith her small kids. The other co-accused persons Neetu Devi @ Neetu Kumari and Sanu Kumar Mahto have already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 7617 of 2024 under order dated 26.02.2024, annexed as Annexure-P/3 to the present bail petition. The petitioner has one criminal antecedent in which he was acquitted by the learned court below as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 28.10.2023.

5.Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for bail petition of the



petitioner and submitted that the petitioner is the husband of the deceased.

6. Considering the aforesaid facts and circumstances of the case and the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Gopalpur P.S. Case No. 671 of 2023, pending in the court of learned Judicial Magistrate-Ist Class, Patna.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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