

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51598 of 2024

Arising Out of PS. Case No.-90 Year-2023 Thana- BALIA BELON District- Katihar

Munna Malik @ Munna Mallik S/O Nichit Malik @ Nichit Mallik R/O
Village- Rasalpur (BHAUNAGAR Rasoolpur), P.S- Balia Bellon, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-10-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Balia
Belon P.S. Case No. 90 of 2023, registered for the offences
punishable under Sections 304-B/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that the marriage
of daughter of informant was solemnized with this petitioner
about 5 years back. After sometime of marriage, daughter of
informant was subjected to demand of dowry and due to non-
fulfillment of the same she was tortured and ill treated. It is
further alleged that on 11.07.2023, all the F.I.R. named accused
persons including this petitioner killed daughter of informant.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has falsely been implicated in the present case only on suspicion. Petitioner has never tortured the deceased nor demanded any dowry. In fact, the deceased herself committed suicide by hanging. As per postmortem report, no external or internal injury was found on the body of victim and doctor opined the cause of death is Asphyxia as a result of hanging. Petitioner is in custody since 21.07.2023.

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail and submits that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture and demanding dowry. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific and direct allegation against him, the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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