

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55524 of 2024

Arising Out of PS. Case No.-217 Year-2022 Thana- CHIRAIYA District- East Champaran

=====

Pramod Sah Son of Kishori Sah R/o Village- Ashram Madhubani, P.S.-
Chiraiya, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the State : Mr. Surendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 13-09-2024 Heard Mr. Shashank Shekhar, learned counsel for

the petitioner and Mr. Surendra Kumar, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
14.02.2024, in connection with Chiraiya P.S. Case No. 217 of
2022, FIR dated 08.05.2022 for the offences punishable under
Sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, daughter of the
informant has been killed by the accused persons for non-
fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the FIR is false and fabricated and the
petitioner has not committed any offence as alleged in the FIR.
He further submits that the petitioner has been made accused in



the present case merely on the ground that the petitioner is husband of the deceased and not a single witness has come forward to support the case of the prosecution. The petitioner is rotting in judicial custody since 14.02.2024.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and he is husband of the deceased it was the duty of the petitioner to look after the daughter of the informant and it appears from the post-mortem report that the cause of death as mentioned in the post-mortem report is *“asphyxia due to strangulation nature of violence above mentioned injury caused by ligature material.”* and it appears from the post-mortem report that the allegation as alleged in the FIR is supported by the medical evidence.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Chiraiya P.S. Case no. 217 of 2022 pending in the Court of learned Chief Judicial Magistrate, East Champaran at Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

