

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51166 of 2024

Arising Out of PS. Case No.-412 Year-2023 Thana- BIDUPUR District- Vaishali

Vikash Kumar S/o Tribhuwan Prasad Singh R/o vill - English Khajwatta, P.S.
- Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shivjee Singh, Advocate
For the Opposite Party/s :	Mr. Manoj Kumar, APP
	Mrs. Bela Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 302/34 of the IPC in connection with Bidupur P.S. Case No.412 of 2023.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is in custody since 08.05.2024 and the informant alleges that his sister was married to the petitioner on 24.03.2014 further out of the wedlock a child was born, further it is alleged that the petitioner along with his family members use to torture her for dowry, somehow the informant managed and gave rupees two lakhs, thereafter, petitioner started a coaching centre and a gas agency,



but Rushtam Kumari again started demanding rupees five lakhs for marriage of her daughter, when the demand was not fulfilled, it is alleged that on 17.07.2023 the accused persons including the petitioner strangled his sister to death by lathi, further the victim a day prior to the occurrence had informed that accused are planning to kill her, on which he went to bring his sister back, but the accused did not allow him to take back his sister, next alleges that on information by villagers he went to the P.O. and found his sister dead with mark of injuries on neck and the accused persons had fled.

4. The learned counsel submits petitioner has been falsely implicated in the instant case by the informant being husband of the deceased. It is next submitted that the marriage of the petitioner with the deceased was performed on 24.03.2014 and the instant FIR came to be instituted in the year 2023 i.e. after nine years of marriage. It is also submitted that in these nine years neither the deceased nor the informant ever instituted any case alleging demand of dowry. It is next submitted that on account of dispute the victim committed suicide. It is also submitted that had the petitioner been involved in the occurrence, then effort would have been made to dispose of the dead body to conceal the evidence, but then that was not



done.

5. The learned counsel appearing on behalf of the informant opposes the regular bail application and submits that what is not in dispute rather stands admitted is that the victim died. It is also submitted that she died at her matrimonial home and from perusal of Annexure-2 it would manifest that the doctor has recorded asphyxia following strangulation, which amply demonstrates that she was strangled to death and petitioner being husband has to explain.

6. Considering the submissions made by the learned counsel appearing on behalf of the informant, the Court is not inclined to release the petitioner on bail, accordingly, the bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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