

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57323 of 2024

Arising Out of PS. Case No.-843 Year-2023 Thana- MAHUA District- Vaishali

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Ram Uday Rai s/o Mahesh Rai R/O Village- Rusulpur Mubarak, P.S- Mahua,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahua P.S. Case No. 843 of 2023 dated 26.12.2023 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code and after investigation, police submitted chargesheet under Section 306 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have demanded Rs. 10,00,000/- and a motorcycle as dowry and due to non-fulfillment of said demand, the informant's daughter was subjected to torture and cruelty. It is further alleged that on 13.02.2023, all the accused persons killed the informant's daughter by assaulting her with lathi and danda.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 13.12.2023 but the F.I.R. was lodged on 26.12.2023 and there is no explanation for this delay. Learned counsel has further submitted that the petitioner is the husband of the deceased and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant's daughter. The charge-sheet has been submitted u/s 306 of the I.P.C. against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is the husband of the deceased who killed his wife due to non-fulfillment of demand of dowry.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence is against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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