

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58263 of 2024**

Arising Out of PS. Case No.-105 Year-2022 Thana- BODHGAYA District- Gaya

Amit Kumar son of Ram Niwas Sharma @ Ram Bilash Sharma Village -
Urail, PS - Bodh Gaya, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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

ORAL ORDER

3 03-10-2024 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 Bodhgaya P.S Case No. 105 of 2022 dated 23.02.2022 registered for the offence punishable u/s 304B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused persons are alleged to have committed murder of the daughter of the informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither named in the F.I.R. nor he belonged to the family of in-laws of the deceased and was not apprehended on the spot. The name of the petitioner has transpired in this case during the course of investigation. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner



has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that from the perusal of the para no. 137 of the case diary, the mobile number 8920322245 is registered in the name of the petitioner, Amit Kumar. As per para 87, 88 and 89, there was extra marital love affair between the petitioner and the deceased (Rinki Devi) who used to talk with him. The said Rinki Devi (deceased) committed suicide by hanging due to dispute with the petitioner which is apparent from the C.D.R. of the mobiles numbers of the deceased and the petitioner. Further, from perusal of the para 80 of the case diary, it transpires that the petitioner threatened and abused the deceased. There were several chattings between the petitioner and the deceased.

6. Considering the aforesaid facts and circumstances of the case as well as the specific allegation 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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