

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59932 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- PIPRA District- East Champaran

Om Prakash Bhagat Son of Deo Narayan Bhagat Village- Chak Bara, P.S.-
Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Adv

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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

ORAL ORDER

2 05-09-2024 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 Pipra P.S. Case No. 394 of 2023 dated 29.12.2023 registered for the offence punishable u/ss 304B read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have strangled the informant's daughter to death due to non-fulfillment of demand of Maruti Car (Wagon R) as 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 the husband of the deceased. The



petitioner neither demanded any dowry nor tortured the deceased. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.01.2024. It is further submitted that the charge sheet has already been submitted u/s 304B and 302/34 of the I.P.C against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased who committed murder due to non-fulfillment of demand of dowry. As per the post-mortem report stated in para 60 of the case diary, cause of death is due to strangulation caused by ligature.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Pipra P.S. Case No. 394 of 2023 pending in the court of learned Chief Judicial Magistrate, East Champaran, Motihari.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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