

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60039 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- MATIHANI District- Begusarai

Rupesh Kumar son of Late Ram Bahadur Rai, R/o village and PS- Matihani,
Dist- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-10-2024 Heard Mr. Rahul Singh, the learned counsel for the

petitioner and Ms. Rina Sinha, the learned Additional Public

Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
29.03.2024, in connection with Matihani P.S. Case No. 131 of 2023,
FIR dated 30.08.2023, registered for the offences punishable under
Sections 304(B) and 201 read with Section 34 of the Indian Penal
Code.

3. According to the prosecution case, daughter of
informant was subjected to torture and abuse by her in-laws over
non-fulfillment of dowry demand. It is further alleged that informant
received information on 29.08.2023 that his daughter has died and
her dead body has been cremated and informant suspects that his
daughter's in-laws have murdered her and made her dead body
disappear.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that petitioner happens to be the husband of the deceased. He further submits that the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR, in fact, the deceased has committed suicide herself. He lastly submits that from bare perusal of the FIR, it appears that the date of occurrence as alleged in the FIR is on 26.08.2023 and FIR has been instituted on 30.08.2023, after a delay of four days without giving any explanation for the delay.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner and his family members have committed the crime in question and apart from that they have also disposed of the dead body of the deceased.

6. Considering the aforesaid facts and circumstances as well as the nature of allegation levelled in the FIR, I am **not** inclined to enlarge the petitioner on bail in connection with Matihani P.S. Case No. 131 of 2023, pending in the Court of learned Judicial Magistrate 1st Class, Begusarai.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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