

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65644 of 2024

Arising Out of PS. Case No.-465 Year-2023 Thana- BELAGANJ District- Gaya

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Roushan Malakar @ Roushan Kumar Malakar Son of Deshrath Malakar @
Dasharth Malakar Resident of village - Panari, Police Station - Belaganj,
District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 06-12-2024 Heard Mr.Sanjay Kumar, learned counsel for the

petitioner and Mr.Rajendra Prasad Nat, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
21.05.2024 in connection with Belaganj P.S. Case No. 465 of
2023, F.I.R. dated 17.07.2023 registered for the offence
punishable under Sections 304(b)/34 of the Indian Penal Code.

3. According to prosecution case, all the accused
persons including the petitioner have killed the daughter of the
informant due to non-fulfillment of demand of dowry.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He has falsely
been implicated in the present case. The allegation as alleged 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 died due to snake bite and petitioner has not committed anything wrong with the deceased.

5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has annexed the certificate issued by the Sarpanch which suggests that she has died due to snake bite and Sarpanch is not the competent Authority to issue the death certificate with respect to any person and apart from that, the petitioner had disposed of the dead body of the deceased without informing the authority concerned.

6. In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Belaganj P.S. Case No. 465 of 2023 pending in the court of learned C.J.M., Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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