

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66664 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- MANSURCHAK District- Begusarai

Sumit Kumar @ Deepak Kumar Son of Ganga Bishun Chourasiya Village-
Po- Satha, Ward No. 9, Ps- Mansoorchak, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Namita Sharma, Advocate Mr. Anshu Dhar Sharma, Advocate
For the State	:	Mr. Ram Priya Sharan Singh
For the Informant	:	Mr. Mahendra Thakur, Advocate Mr. Krishna Prabhat, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2024 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioner seeks bail in connection with Mansoorchak P.S. Case No.06 of 2024 registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner, being husband, has been falsely implicated in the instant case by the informant. It is next submitted that informant, who is brother of the deceased, alleges that his sister was married to the petitioner on 23.04.2017 and at the time of marriage, Rs.12 lakh was given in cash along with jewellery



etc., as detailed in the F.I.R, further, the deceased was differently abled and the petitioner along with accused persons started demanding Rs.10 lakh for starting a business, on which informant showed his inability. It is next alleged that on 14.01.2024, the informant had gone to the house of the deceased to meet her when she informed that the accused persons are still torturing for non-fulfillment of the demand. It is next alleged that on 01.02.2024, he received a call that the deceased has fallen from the terrace and has been taken to a doctor, accordingly he reached the place of occurrence and saw the dead body of the deceased with marks of strangulation around her neck.

4. Learned counsel for the petitioner submits that that petitioner has been falsely implicated in the instant case with general and omnibus allegation of demand of dowry. It is next submitted that no doubt the occurrence took place within seven years of marriage, but then seven years of marriage of the petitioner was going to be completed soon as the FIR was instituted in February, 2024 and the marriage of the petitioner with the deceased was performed on 23-4-2017. It is further submitted that in these 7 years, no case ever came to be instituted either by the informant or the deceased alleging



demand of dowry and torture, but then all of a sudden, the petitioner came to be implicated with an allegation that for non-fulfillment of the demand of dowry of Rs. 10 lakh, the deceased was strangled to death. It is also submitted that the FIR does not disclose as to when dowry was being demanded which makes the allegation vague. It is next submitted that petitioner is in custody since 13-2-2024.

5. Learned counsel appearing on behalf of the informant opposes the bail application of the petitioner and submits that the death took place within seven years of marriage, and post-mortem report records that death was caused due to asphyxia as a result of strangulation. It is next submitted that dead body was also found in the matrimonial home and charges have been framed thus trial has commenced.

6. After hearing the learned counsel for the parties, the Court, for the present, is not inclined to release the petitioner on bail.

7. Accordingly, the prayer for bail of the petitioner is rejected.

(Satyavrat Verma, J)

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