

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67790 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- SIMRAHA District- Araria

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Suraj Kumar Mandal @ Suraj Kumar Son of Sitaram Mandal Resident of
village- kushaha, Ps- Simraha, Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ramesh Kumar Singh, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP
For the Informant	:	Mr. Arun Kumar Mandal, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-12-2024 Heard learned counsels for the parties.

2. Petitioner seeks bail in a case registered for the
offence punishable under Sections 304B and 34 of the Indian
Penal Code.

3. It is a case of dowry death. As per prosecution case,
it is alleged that sister of informant got married with this
petitioner in the year 2021. It is alleged that due to non-
fulfillment of demand of dowry, all the F.I.R. named accused
persons, including this petitioner, committed murder of sister of
informant.

4. Learned counsel appearing for the petitioner
submits that petitioner is innocent and has falsely been
implicated in this case only because he happens to be husband



of the deceased. As a matter of fact, though the informant claims to be eye witness of the alleged occurrence but the post mortem report does not corroborates that allegations levelled in the F.I.R.. As per informant, this petitioner, along with other accused persons named in the F.I.R., assaulted sister of informant but in the post mortem report, no external injuries have been found on the body of the deceased. Petitioner has got no criminal antecedents and he is in custody since 18.06.2024. Moreover, change-sheet has already been submitted.

5. On the other hand, learned counsel for the State and learned counsel appearing on behalf of the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is the husband of the deceased and there is direct and specific allegation that he, along with other accused persons, committed murder of sister of informant due to non-fulfillment of demand for dowry. Moreover, the deceased died within seven years of marriage in unnatural circumstances at her matrimonial house.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner is husband of the deceased, who died in unnatural condition in her in-laws house within seven years of marriage, prayer for grant of bail to the petitioner is



rejected.

(Prabhat Kumar Singh, J)

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