

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.622 of 2024

Arising Out of PS. Case No.-342 Year-2023 Thana- SAKRA District- Muzaffarpur

=====

Pankaj Kumar Son of Sri Ram Lala Jha Resident of Village-Ram Nagar, P.S.-
Sakra, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mrs. Vaishnavi Singh, Mr. Pravin Kumar
For the Opposite Party/s :		Mr. Ram Naresh Ray

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-03-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in case registered for the
offence under Section 304(B) /34 of the Indian Penal Code.

3. It is a case of ‘Dowry Death’. The deceased
(daughter of informant) has been killed by throttling.

4. It is submitted on behalf of petitioner that petitioner
is innocent and has been falsely implicated in this case merely
because he happens to be husband of the deceased. There is no
eye-witness to the occurrence. Petitioner neither demanded any
dowry nor committed any torture to the deceased. In fact, the
deceased herself committed suicide by hanging. It is further
submitted that after the said incident, immediately the
information was given to prosecution side as well as the police



and police arrived at the place of occurrence and prepared inquest report and both the inquest witnesses are from *naihar* family of the deceased. Thereafter, the dead-body was cremated as per Hindu ritual in present of both families on 20.07.2023, but only with a view to extort money from the petitioner's side, this false and concocted case has been filed. Petitioner is in custody since 18.08.2023.

5. However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture and demanding dowry. *Post-mortem* report shows that cause of death is *Asphyxia* as a result of *ante-mortem* hanging. Deceased has died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific and direct allegation against him, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

anay/-

U		T	
---	--	---	--

