

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75522 of 2023**

Arising Out of PS. Case No.-50 Year-2022 Thana- CHAORI District- Bhojpur

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ARJUN KUMAR son of Bhavnath Chandravanshi Village- Athapa Ps- Chauri  
Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shantam Shivam

For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

4      19-04-2024                      Heard the learned counsel for the petitioner and  
  
learned APP for the State.

2. This is an application for regular bail on behalf  
of the petitioner for the offences alleged under Sections  
304(b)/201/34 of the Indian Penal Code registered in connection  
with Chauri P.S.Case No. 50 of 2022.

3. As per allegation, the deceased Khushboo Kumari  
was married to the present petitioner in the year 2018. The  
accused persons, including the petitioner, subjected her to  
cruelty for non-fulfilment of demand of dowry including a gold  
chain. When the family members of the deceased attempted to  
persuade them, they assaulted and ousted her from the  
matrimonial house. On 11.06.2022, the victim sent information



to her *maike* that the accused persons badly assaulted her. When the informant, the father of the deceased, along with his family members, rushed to the place of occurrence, the accused personse persuaded them to return to their home. As soon as the informant reached his house, he got an information that her daughter was done to death by her matrimonial inmates. Then he went to the cremation site and found the accused persons burning the dead-body. Semi-burnt dead-body was recovered by the police.

4. The learned counsel for the petitioner has submitted that though he is husband, but there is no evidence of commission of dowry death against him. He has submitted further that specific amount of dowry has not been mentioned in the FIR. He has also submitted that the information about the death of the deceased was transmitted to the native inmates of the deceased and only after receiving information, her father came to the place where cremation was going on.

5. It is not in dispute that the death of the deceased has taken place approximately within four years of her marriage. There is specific allegation that soon before her death, she was tortured for non-fulfilment of demand of dowry. Semi-burnt dead-body was recovered from the cremation site and thereafter



the post mortem was conducted and the death was opined due to neurological shock and burns, which corroborate the allegation.

6. The learned APP has opposed the prayer for bail in view of gravity of the allegation.

7. In my view, it is not a fit case to grant the privilege of bail to the petitioner. It is accordingly rejected.

**(Nawneet Kumar Pandey, J)**

HR/-

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