

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80812 of 2023**

Arising Out of PS. Case No.-228 Year-2023 Thana- BAJPATI District- Sitamarhi

=====

Dipak Kumar @ Dipak Ram Son Of Shambhu Ram R/O Village- Bhikha,  
P.S.- Bajpatti, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Parwej Khan, Advocate  
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      18-03-2024                      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks regular bail in connection with  
Bajpatti P.S. Case No. 228 of 2023 registered for the offence  
under Section 304 (B) of the Indian Penal Code.

3. As per allegation in FIR, it is a case of dowry death of  
the deceased due to non-fulfillment of dowry demand by the  
petitioner and his family members.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in the  
present case. He is custody since 02.08.2023.

5. However, learned APP for the State vehemently  
opposed the prayer for regular bail.



6. On perusal of FIR, case diary and impugned order dated 09.10.2023, passed by learned Additional Sessions Judge IX, Sitamarhi alongwith with post mortem report, it appears that petitioner is husband of the deceased, marriage between the petitioner and deceased solemnized on 07.03.2019 and deceased died on 31.07.2023 within 5 years of her marriage. The cause of death appears in the post mortem report is due to Asphyxia resulting of noted neck injury caused by hard object and the death was caused in the matrimonial house of the deceased so, this is serious offence hence, I am not inclined to grant bail to the petitioner.

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

**(Ramesh Chand Malviya, J)**

saaurabhkr/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

