

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82596 of 2023

Arising Out of PS. Case No.-517 Year-2023 Thana- KANKARBAG District- Patna

Vivek Kumar Son Of Vijay Kumar Singh R/O Kamla Sadan, H.D.F.C. Gali,
Chandmari Road (TENANT Of Pankaj), P.S.- Kankarbagh, Dist.- Patna,
Permanent R/O B-56, Sector-1, Hec Colony, Durwa, P.S.- Jagarnathpur, Dist.-
Ranchi (Jharkhand) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr. Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 04-07-2024 Heard Mr. Rajendra Narain, learned senior counsel
for the petitioner and Dr. Kumar Uday Pratap, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.05.2023 in connection with Sessions Trial No. 996 of 2023
arising out of Kankarbagh P.S. Case No. 517 of 2023, F.I.R.
dated 17.05.2023 for the offences punishable under Sections
498A, 307/34 of the Indian Penal Code and Sections 3/4 of the
D.P. Act and later on Section 304B/34 of the Indian Penal Code
were added.

3. According to prosecution case, all the accused
persons including the petitioner have killed the daughter of the
informant due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the informant (wife of petitioner) has committed suicide herself. He further submits that it appears from the paragraph no. 23 of the case diary that the independent witness has submits that she saw that the deceased has committed suicide herself.

5. The learned Additional Public Prosecutor on the basis of material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged is supported by the medical evidence (postmortem report) and apart from that the postmortem report also reveals that some struggle marks were also found on the body of the deceased.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 996 of 2023 arising out of Kankarbagh P.S. Case No. 517 of 2023 pending in the court of learned Additional Sessions Judge X, Patna.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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