

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1709 of 2024

Arising Out of PS. Case No.-118 Year-2023 Thana- FALKA District- Katihar

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BINOD KUMAR RAY @ BIKKI @ BINOD KUMAR @ VICKKY SON OF
ASHOK RAY R/O VILLAGE- DUMAR ROY TOLA, P.S.- FALKA,
DISTRICT- KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Suresh Prasad Sah, Advocate
For the Opposite Party/s :	Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T no. 407 of 2023, arising out of Falka (Pothia) P.S. Case no.118 of 2023, registered under sections 302, 304B and 316 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter was married to the petitioner herein. She was tortured by the accused persons including the petitioner for demand of Rs. 2 lakhs. It is further stated that her neighbour informed that she had hung herself. On reaching his daughter's *sasural*, the informant found her lying dead



on the bed. He states that he is convinced that his son-in-law and other accused persons killed her for non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only on account of his being the husband of the deceased. From the FIR itself, it would be evident that he was informed about her committing suicide by hanging herself. It would be a case under section 306 of the Indian Penal Code and not under section 304B of the Indian Penal Code. The petitioner is in custody since 21.4.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being the husband of the deceased, the cause of death in the postmortem report being asphyxia due to ante-mortem strangulation and charge-sheet having been submitted in the case under section 304B of the Indian Penal Code besides other sections, the Court is



not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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