

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86283 of 2023

Arising Out of PS. Case No.-442 Year-2022 Thana- BAHADURPUR District- Patna

MANOJ KUMAR S/O SHYAM KUMAR MANDAL R/O VILLAGE-
PATHARA, P.S- PIPARA, DISTT.- SUPAUL, PRESENTLY RESIDING AT
BAJAR SAMITI MAIN ROAD, TAPIWAN COLONY, P.S-
BAHADURPUR, DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bahadurpur P.S. Case no.442 of 2022 registered under section 304B of the Indian Penal Code.

3. As per the prosecution case, the informant states that her daughter was married to the petitioner herein. While the petitioner used to live in Bazar Samiti in a lodge and prepare for his teachers training, her daughter was residing in the hostel of the Nalanda Medical College and Hospital in Patna and undergoing training of GNM Nurse. It is stated that the informant received information on telephone that her daughter had been strangled to death and she had been taken by the



petitioner to the Nalanda Medical College and Hospital. On reaching there, she found her daughter to have died. It is further stated that her son-in-law has an extra marital relationship with one another girl. It is finally stated that even on earlier occasion, her daughter was tortured by the petitioner for dowry.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Admittedly, the informant is not an eye witness to the alleged occurrence. It is over a trivial dispute between the husband and wife that the daughter of the informant hung herself. The allegation on the petitioner having strangled his wife is falsified from the contents of the post-mortem report wherein the cause of death is said to be asphyxia caused by hanging. The allegations of demand of dowry are not only vague but lacking in details. The petitioner is in custody since 15.6.2023.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is the husband of the deceased.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., who happens to be the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the



application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after four months or on framing of charge, whichever is later.

(Partha Sarthy, J)

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