

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86025 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- KUTUMBA District- Aurangabad

Aashish Kumar son of Kalicharan singh resident of village- Mirjapur, P.S.-
Kutumba, District- Aurangabad (Bihar) Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party : Mr. Dr. Ajeet Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 5 28-06-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner seeks regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.
3. It is a case of dowry death.
4. Learned counsel appearing for the petitioner, while denying the allegation, submits that as a matter of fact at the relevant time, petitioner was not present at the house as he had gone to the Aadhar center for updating the bio metrics. He submits that the victim committed suicide in absence of the petitioner. Petitioner is in custody since 22.8.2023.
5. Learned counsel for the State opposes the prayer for bail. He submits that petitioner is the husband of the deceased and there is direct and specific allegation that he and his family members killed the deceased by pressing her neck and hanging with fan for non-fulfilment of dowry demand. In the post mortem report, cause of death has been reported to be due to crush of cervical spinal cord during fracture of 1st and 2nd cervical vertebrae during twisting the neck around 360 degree angle with longitudinal axis of body and head by hand forcefully.



6. Considering the nature of accusation and the fact that the petitioner is husband of the deceased, who died in unnatural condition in her in-laws house, prayer for regular bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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