

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3058 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Rahul Ray @ Rahul Roy @ Rahul Kumar S/O LATE ASHOK ROY
VILLAGE- TARA, WARD NO. 2, PS. MOHIUDDIN NAGAR, DIST.
SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 23-08-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Mohinudding Nagar PS Case No. 238 of 2023 registered under sections 304(B)/34 of the IPC and sections 3, 4 of the Dowry Prohibition Act lodged on 21.08.2023 by the informant, Ramvriksh Ray.

3. As per prosecution case, the petitioner who is a husband was married to the deceased in the year 2021 but was always tortured for dowry and prior to her death, the couple having been blessed with a female child, she was assaulted which followed the intervention of the informant but on the fateful night, came to know about the death/killing. Accordingly, the FIR.



4. Though the viscera report does not show any foreign material in the body of the deceased, learned counsel for the informant has pointed out that the postmortem report clearly shows that it was not a case of suicide. It is his submission that three witnesses out of five have been examined and now the case is at advance stage.

5. In that background, considering the kind of allegation that has come against the petitioner and since three witnesses out of five have already been examined, for the present, this Court is not inclined to extend the privilege of bail to the petitioner. The same is, accordingly, rejected.

6. It is expected that since three witnesses out of five have already been examined, the trial court shall see to it that the case is taken to its logical conclusion.

(Rajiv Roy, J)

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