

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6506 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- FATEHPUR District- Gaya

Raju Kumar S/o Krishna Chaudhary R/o Village- Meharpur, P.S.- Fatehpur,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-03-2025 1. Heard the learned counsel for the petitioner and the learned APP for the State.
2. The petitioner seeks regular bail in connection with Fatehpur PS case no. 197 of 2024 dated 05.04.2024, instituted for the offences punishable under Section 304-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the marriage of the informant's sister was solemnized with the petitioner in the year 2021. After marriage, the petitioner along with other accused persons started torturing and harassing the informant's sister mentally and physically for dowry and due to non-fulfilment of the same, informant's sister was killed by the petitioner and other accused persons on 05.07.2024.



4. Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and has not committed any offence in the manner alleged. Learned counsel further submits that the allegation levelled against the petitioner is general and omnibus in nature, however at the time of occurrence, the petitioner had gone to work at his fields. He next submits that the deceased was having love affairs and she has committed suicide as her marriage was solemnized against her will. The petitioner is languishing in custody since 05.10.2024. The petitioner is stated to be having no criminal antecedent.

5. I have heard learned counsel for the parties and perused the materials available on record.

6. From perusal of impugned order, it appears that within four years of marriage, the deceased died an unnatural death in her matrimonial home. The nature of death is not important whether it is natural, suicidal or accidental but the fact of the matter is that deceased died an unnatural death within four years of her marriage. There is a presumption against the accused persons under Section 113(A) and 113(B) of the Evidence Act. The offence is serious in nature and the punishment thereof, is also severe. The petitioner being the



husband of the deceased is supposed to be the care-taker of his wife.

7. Accordingly, I am not inclined to grant bail to the petitioner, thus this application is rejected.

8. However, the petitioner is at liberty to renew her prayer for regular bail after one year from today, if the trial does not show any progress.

(Anil Kumar Sinha, J)

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