

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8967 of 2025

Arising Out of PS. Case No.-13 Year-2024 Thana- PURUSHOTTAMPUR District- West
Champaran

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Upendra Das @ Upendra Kumar, Son of Basdev Das @ Basudev Das
Resident of Village - Purushottampur, Police Station - Purushottampur,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the State	:	Mr. Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 09-05-2025 Heard Mr. Madhurendra Kumar, learned counsel
for the petitioner and Mr. Pramod Kumar Pandey, learned APP
for the State.

2. Petitioner seeks regular bail in connection with
Purushottampur P.S. Case No. 13 of 2024 dated 13.02.2024
registered for the offence punishable under Section 304(B) read
with Section 34 of the Indian Penal Code.

3. As per the prosecution, the informant solemnized
marriage of his daughter with the petitioner and after marriage,
the petitioner alongwith co-accused persons named in the FIR,
started creating pressure upon the informant's daughter to bring
Rs. 4,00,000/- (Rupees Four Lakh) to purchase 'Bolero' vehicle.
On refusal, all the accused persons including the petitioner



began to assault the informant's daughter. On 12th February, 2024, the informant got a phone call from his daughter's sister-in-law informing him that his daughter was severely ill. After receiving the information, the informant went to the *Sasural* of his daughter where she was found dead.

4. The main submissions advanced by petitioner's counsel are that the deceased who happened to be the wife of this petitioner, committed suicide, though, on her body, some injuries were found but they might have been caused to the deceased on account of some scuffling and during investigation, the independent witnesses supported the factum of suicide committed by the victim. It is lastly submitted that the petitioner has been languishing in jail since 01.03.2024.

5. Learned APP for the State has opposed and submits that the instant matter relates to the serious offence of dowry death and the victim died within one year of her marriage and in view of the external findings given in the postmortem report about the injuries found on the body of the deceased as well as the *prima facie* cause of death mentioned in the inquest report of the deceased, it appears that it is a clear case of dowry death and not a suicide.

6. Heard both the sides and perused the FIR, case



diary and postmortem report of the deceased. The deceased died within one year of her marriage and as per the allegation, the petitioner who happens to be husband of the deceased, tortured her for a demand of Rs. 4,00,000/- (Rupees Four Lakh), though, in the FIR, the informant suspected that his daughter's death was caused by the petitioner, however, during the investigation, the postmortem examination of deceased's body revealed some bruises on her left side of neck and upper part of chest which is against the petitioner's plea as to the victim having committed suicide. Considering the nature of the allegation as well as incriminating materials and evidences available against this petitioner, this Court is not inclined to release him on bail at this stage. Accordingly, his prayer stands rejected.

7. The petitioner may renew his bail prayer after one year if no progress is made in his trial.

(Shailendra Singh, J)

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