

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31393 of 2025

Arising Out of PS. Case No.-102 Year-2020 Thana- NATWAR District- Rohtas

Kalendra Mushar S/O Shivshankar Mushar R/O Vill.- Saranw, P.s.- Natwar,
Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for
offence under Sections 304(B)/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that daughter of
informant was married with this petitioner 4-5 years ago and
after the marriage, the accused persons named in the F.I.R.
including this petitioner demanded motorcycle and buffalo, in
the form of dowry, and due to non-fulfillment of the same, she
was subjected to torture and cruelty by the accused persons and
ultimately, on 02.12.2020, she was killed.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case merely because he happens to be husband of the deceased.



Petitioner neither demanded any dowry nor committed any torture to the deceased. In fact, the deceased committed suicide by consuming poison. There is general and omnibus allegation. Petitioner is in custody since 11.10.2024.

5. However, learned A.P.P. for the State opposes the bail petition and submits that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture and demanding dowry. Deceased died in an unnatural circumstances within seven years of marriage at her matrimonial home.

6. Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased and there is specific and direct allegation against him, the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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