

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52738 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- HARLAKHI District- Madhubani

RAM KUMAR DAS SON OF DILIP DAS RESIDENT OF VILLAGE -
MANOHARPUR, P.S. - HARLAKHI, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Dev Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Udeshya Kumar, Advocate
For the Opposite Party/s	:	Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 22-01-2025 Heard Mr. Gagan Dev Yadav, learned counsel
appearing on behalf of the petitioner and Mr. Narendra Kumar
Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Harlakhi P.S. Case No. 264 of 2023 registered for the
offence(s) punishable under Sections 304(B)/120(B) of the
Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein including the petitioner (husband of the
deceased) killed the daughter of the complainant/informant for
non-fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner, who is the husband of the



deceased, is innocent and has falsely been implicated in the present case, and has also suffered a lot, as a result of unnatural death of his wife. He further submitted that from bare perusal of the content of the FIR, lodged by the complainant/informant, who is mother of the deceased, would show that there is no allegation of demand of dowry immediately just before the death and as such the case is not made out and just to harass the petitioner, they have instituted the compliant on frivolous ground, though the police had already instituted a case for unnatural death of the deceased.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, it is apparent that the said incident took place in the house of the petitioner. After the unnatural death of the deceased, who is wife of the petitioner, the police had registered complaint case and in that regard, the complainant also lodged complaint and FIR was instituted under Section 156(3) of Cr.P.C. Sufficient material has been found against the petitioner. I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, the present bail application stands dismissed.



7. However, the petitioner, if so advised, may surrender before the learned District Court and seek regular bail. In that case, the learned District Court is directed to consider the bail application of the petitioner on the same day and pass necessary order on the basis of material which has come in course of investigation without delay.

8. The present petition stands disposed of.

(Purnendu Singh, J)

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