

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62094 of 2024

Arising Out of PS. Case No.-601 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Mithilesh Ram Son of Ram Bilas Ram Resident of Village - Dumari, P.S. -
Patory Mohanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 17-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State.
2. The petitioner seeks regular bail in connection with Shahpur Patori Police Station Case No. 601 of 2022, dated 15.12.2022, registered for the offences punishable under Sections 304-B/120-B/201 of the Indian Penal Code.
3. The prosecution case, as per the First Informant Report, is that the marriage of the informant's daughter (now, deceased) and the petitioner was solemnized on 16.05.2013 and soon thereafter, the accused persons, including the petitioner, started demanding one motorcycle by way of dowry and due to non-fulfillment of the said demand, they used to torture the deceased. On



25.01.2014, the informant got information that the petitioner, along with others, killed the deceased in her matrimonial home and her dead body was disposed secretly by the accused persons.

4. Learned Counsel for the petitioner submits that the petitioner, who is the husband of the deceased, is innocent and has falsely been implicated in this case. The complainant-informant got the information regarding the death of her daughter on 25.01.2014, but complaint has been filed after much delay on 07.02.2014 and First Information Report has been registered with further delay on 15.12.2022. He further submits that the deceased died due to heart failure. He further submits that the complainant -cum- informant has filed many applications before the learned District Court for withdrawal of the present case stating therein that due to misconception, she has filed the present complaint -cum- First Information Report. He further submits that the allegation against the petitioner is general and omnibus in nature and he is in custody since 20.05.2024.
5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that



within six months of the marriage, the deceased was killed by her in-laws and the petitioner for demand of dowry.

6. I have heard learned counsel for the parties and have gone through the materials on record including the impugned order.
7. Within six months of the marriage, the informant's daughter died an unnatural death in her matrimonial home. In close proximity of time, there is demand of dowry, torture and death of the informant's daughter. 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 in her matrimonial home. There is a presumption against the accused persons under Sections 113-A and 113-B of the Evidence Act. The offence is serious in nature and the punishment thereof is also serious.
8. Accordingly, I am not inclined to grant regular bail to the petitioner at this stage.
9. This application is, accordingly, dismissed.
10. However, the petitioner may renew his prayer for regular bail after nine months from today if the trial does not



show any substantial progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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