

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73637 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- SONO District- Jamui

Bhagat Sah, Son of Sidheswar Sah, Resident of village -Sarewad, PS -Sono in
the district of Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Anand, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 20-01-2025 Heard Mr. Abhishek Anand, learned counsel for the

petitioner and Mr. Satyendra Narayan Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Sono P.S. Case No. 107 of 2024 registered
for the offences punishable under Sections 498A and 304B of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

3. Allegedly, the marriage of the daughter of the
informant was solemnized with the petitioner about three years
ago. Out of the wedlock, a baby boy was also beget. However,
thereafter, on account of demand of dowry, the victim was
subjected to torture, which fact has also been narrated by the
victim to the informant on phone. On 22.03.2024, the petitioner



informed the informant that the victim got admitted in Radhika Emergency Hospital, Jamui and she has been put on the ventilator but on the next day, the victim died.

4. Learned counsel for the petitioner contended that apart from the omnibus nature of allegation, it is the admitted fact that the coupled blessed with a son and, as such, the demand of dowry and torture do not inspire any confidence. It is further contended that the inquest report clearly suggests that she was not subjected to any torture, inasmuch as there is no mark of any violence over her body. However, the postmortem report is in contradiction to the inquest report whereas a lacerated wound has been found over the posterior side of skull. Further contention has been made that there is no eyewitness to the alleged occurrence on the point of demand of dowry and assault. The petitioner only on account of being husband of the deceased, is suffering incarceration since 24.03.2024.

5. Learned counsel for the State vehemently opposed the bail application and submitted that the postmortem report clearly suggests that the deceased was subjected to assault whereas the occipital bone was found fracture, apart from multiple bruise on posterior side of thorax. Drawing the attention of this court to paragraphs-34 and 35 of the case diary,



it is also contended that the independent witnesses have supported the prosecution case to the extent of demand of dowry and torture. The petitioner is none else but the husband of the deceased.

6. Regard being had to the submissions made on behalf of the parties and considering the postmortem report, which clearly suggests that the victim was subjected to assault prior to her death, coupled with the facts that during the course of investigation, the independent witnesses have supported the prosecution case, moreover, the alleged death has taken place just within three years of marriage preceding to demand of dowry and torture, this Court is not acceded to the prayer of the petitioner for grant of bail. Accordingly, his prayer is rejected.

(Harish Kumar, J)

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