

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82050 of 2024

Arising Out of PS. Case No.-165 Year-2021 Thana- SALIMPUR District- Patna

Abhishek Kumar @ Abhishek Kumar Chauhan Son of Birendra Singh @
Biran Singh Resident of Village-Narauli, P.S Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parashuram Singh

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in case registered for the offence under Sections 341, 323, 307, 498-A, 34 of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act and later on, Section 304(B) of the I.P.C. was added.

3. It is a case of 'Dowry Death'. It is alleged that this petitioner alongwith other co-accused persons killed the daughter of informant for dowry.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has been falsely implicated in this case merely because he happens to be husband of the deceased. Informant is not eye-witness to the occurrence and only suspicion has been raised against this



petitioner. Petitioner never demanded any dowry or committed torture with the deceased. In fact, the deceased came in contact with fire and she sustained burn injury. The petitioner himself took his wife to hospital where she succumbed to her burn injuries. Petitioner is in custody since 03.09.2024.

5. However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific and direct allegation against him of committing torture for dowry. Deceased has 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, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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