

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80845 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- Kharagpur District- Munger

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Amit Kumar @ Sumit Kumar @ Sumit Raj Son of Suresh Yadav Resident of
Village- Laliyadih, P.S.- Haveli Khargapur (O.P. Shampur), District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr.Adv.

Mr. Rabindra Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-07-2025 Heard learned senior 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 304(B)/498A/504/506/34 of the Indian
Penal Code and Sections 3/4 of Dowry Prohibition Act.

3. It is a case of ‘Dowry Death’. As per prosecution
case, daughter of informant was married with this petitioner on
16.02.2022 and after the marriage, she was subjected to torture
physically and mentally due to non-fulfillment of demand of
dowry and ultimately, on 02.01.2024, all the F.I.R. named
accused persons including this petitioner committed her murder.

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. There is no eye-witness to the occurrence. Petitioner neither demanded any dowry nor committed any torture to the deceased. In fact, the deceased herself committed suicide by hanging, as she was a mental patient and was under-going treatment at K.K.M. Seva Sadan, Jamui. Petitioner is not responsible for death of deceased and is in custody since 08.05.2024.

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 and demanding dowry. *Post-mortem* also supports the prosecution case. 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, the prayer for bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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