

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.82052 of 2024

Arising Out of PS. Case No.-232 Year-2024 Thana- DEHRI TOWN District- Rohtas

Devdutt Richhariya S/O Ramesh Chandra Richhariya R/O Vill.- Pawa, P.S-
Srinagar, Dist.- Mohaba (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 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 Dehri Town Police Station Case No. 232 of 2024, dated 20.03.2024, registered for the offences punishable under Section 304-B 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 02.12.2022 and soon thereafter, the accused persons, including the petitioner, started demanding one car by way of dowry and due to non-fulfillment of the said



demand, they used to torture the deceased. on 15.03.2024, the informant received the information that his daughter has been killed by the petitioner and others due to non-fulfillment of demand of dowry of one car. At the time of death of the daughter of the informant, the petitioner and the deceased were residing in a rented house at Dehri-on-sone.

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. He further submits that the petitioner and deceased were residing in a rented premises at Dehri-on-sone and on the date of occurrence, he was not present in his house. He further submits that the deceased died on 15.03.2024 and the information regarding the death of the deceased was given to the informant and in his presence, the cremation was done on 17.03.2024 at the matrimonial home of the deceased at Uttar Pradesh and at that time, the informant did not raise any dispute. On the date of occurrence, when the petitioner returned at his home, at Dehri-on-sone, he found his wife dead and the petitioner became nervous and started weeping, due to which the flat owners and



neighbours reached there and informed the police immediately at 03:15 PM and the house owner went to the Police Station for institution of U. D. case and narrated the entire occurrence. Later on, it was found that only sanha diary entry was made bearing S.D. No. 1245 of 2024, dated 15.03.2024. The inquest report also suggests that the petitioner was present at that time and there was a mark on the neck of the deceased indicating suicide. During course of investigation, the neighbours and other people residing in the surrounding have not supported the allegation and stated that due to the deceased being unsuccessful in the competitive examination, she has committed suicide and the petitioner cannot be an accused of such incident. He further submits that the allegation against the petitioner is general and omnibus in nature and he is in custody since 21.08.2024.

5. On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for bail and submits that within fifteen months of the marriage, the deceased was killed 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 fifteen 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.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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