

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87470 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- BALRAMPUR District- Katihar

Madan Thakur S/o- Dinesh Thakur Resident of Village- Farsara PS-
Balrampur District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar
For the Informant	:	Mr. Vivekanand Jha
For the Opposite Party/s	:	Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Balrampur P.S. Case No. 104 of 2024 dated 16.08.2024 registered for the offence/s punishable u/ss 85, 109 of the BNS and $\frac{3}{4}$ of the DP Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's daughter by administering poison due to non-fulfillment of demand of Rs. two lakhs as dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the



petitioner. The petitioner is the husband of the deceased. The petitioner neither demanded any dowry nor tortured the deceased. Learned counsel for the petitioner has submitted that on 03.08.2024 the petitioner called the informant's son that his sister was bitten by snake and she was taken to Purnia More where the doctor has stated that the snake has bitten her thereafter on 04.08.2024 she was referred to Purnia M.M. Neuro Multi Speciality Hospital where she was admitted in ICU and the doctor has also stated that the snake has bitten her thereafter, the deceased was taken to another hospital, namely, Kishanganj Rediant Hospital, where the informant came to know from the doctor that the her daughter was severely assaulted and found the sign of hanging in her neck and the doctor has also stated that she was administered poison in her mouth. The petitioner has no antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.10.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner is the husband of the deceased. It is apparent from the FIR that earlier the deceased made a phone call to her mother and told that the accused persons were making conspiracy to kill her by hanging



or by administering poison. It is further submitted that the deceased was taken to another hospital, namely, Kishanganj Rediant Hospital, where the informant came to know from the doctor that the her daughter was severely assaulted and found the sign of hanging in her neck and the doctor has also stated that she was administered poison in her mouth which supports the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail petition of the petitioner stands rejected.

(Chandra Prakash Singh, J)

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