

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9817 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -PALIGANJ District- PATNA

Manoj Kumar son of Gyanchand Mahto resident of village - Dharhara,
Police Station - Paliganj, District - Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 07-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
victim is languishing in custody since 31.10.2014 in a case
registered for the offences punishable under Sections 341, 323,
307, 498A, 201/34 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act. Subsequently, section 306 of the IPC was also
added.

The accusation is of killing the daughter of
the informant after one and half years of the marriage for non-
fulfillment of the dowry demand. The informant came to know

about the occurrence through a co-villager of the petitioner that the victim was killed by causing serious burn injury.

It is submitted by learned counsel for the petitioner that the independent witnesses during investigation suggested that the relationship between the petitioner and the victim had been cordial. At the time of occurrence the petitioner was not in the house, it was petitioner, who informed the informant about the attempt being taken by the victim to commit suicide and took the victim to hospital for providing medical assistance.

It is submitted by learned counsel for the informant that the specific case of the informant was that the victim died due to burn injury caused by accused persons in spite of that case was not registered under Section 304B of the IPC when the victim died after one and half years of the marriage and now the charge-sheet has been submitted under Section 304B of the IPC.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner at present in connection with Paliganj P.S. Case No. 208 of 2014 pending in the court of Sub-divisional Judicial Magistrate, Danapur, Patna.

Accordingly, the prayer for bail of the

petitioner is rejected.

Let the trial be expedited.

However, the petitioner will be at liberty to renew his prayer for bail, if the trial is not concluded within a period of one year.

(Dinesh Kumar Singh, J)

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