

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13561 of 2015

Arising Out of PS.Case No. -72 Year- 2014 Thana -MOKAMAH District- PATNA

Vikash Kumar @ Vicky S/o Chandrachur Singh, Resident of village-
Mokama (Moldimar Tola), P.O.+P.S.- Mokama, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shally Kumari

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 02-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the one
of the victim is languishing in custody since 11.07.2014 in a case
registered for the offences punishable under Sections 498A, 304B
and 201/34 of the Indian Penal Code.

The accusation is of killing the pregnant
daughter of the informant along with minor daughter after four
years of the marriage for non-fulfillment of the dowry demand.

It is submitted by learned counsel for the
petitioner that the victim went to take bath in the river and there
she drowned as a result she died. It is further submitted that in the
FIR it is alleged that the marriage was performed in 2009 but

actually the marriage was performed in 2007, hence, the case does not come within the purview of section 304B IPC,

It is submitted by learned APP after going through the case diary that one of the witnesses had seen the petitioner assaulting the victims.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner in connection with Mokama P.S. Case No. 72 of 2014 pending in the court of learned Judicial Magistrate, Ist Class, Barh, 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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