

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30675 of 2015

Arising Out of PS.Case No. -161 Year- 2013 Thana -FATEHPUR District- GAYA

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1. Manoj Choudhary Son of Jago Choudhary Resident of village - Morhe,
P.S. Fatehpur, District - Gaya (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Amrendra Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B)/34 of the I.P.C

Anita Devi, sister of the informant, was married with
the petitioner in the year 2009 but due to non fulfillment of
demand of dowry by way of motorcycle and cash of Rs. 50,000/-
she was killed by the petitioner and other co-accused and her dead
body was thrown near the railway line besides Dhadhar river.

Submission is of false implication and that the wife of
the petitioner died in train accident while crossing the railway line,
there is no specific allegation against the petitioner for torturing or
demanding dowry and as such the petitioner deserves sympathetic

consideration as he is suffering in custody since 23.06.2013.

The learned A.P.P. opposes prayer for bail by submitting that the postmortem report also supports the prosecution case and the witnesses have also supported the prosecution case.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at present this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Fatehpur P.S. Case No. 161 of 2013 pending in the court of Sri P.K. Jha, J.M. 1st Class, Gaya.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months, failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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