

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2279 of 2015

Arising Out of PS.Case No. -226 Year- 2013 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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Anil Ram S/o Dina Ram Resident of Village Ratanpura, P.S. Bhagwanpur,
District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra
For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 15-05-2015 Heard learned counsel for the petitioner and the APP

for the State.

The husband of the deceased is accused in

Bhagwanpur P.S. Case No. 226 of 2013 for the offences

punishable under sections 304-B and 201/34 IPC and seeks bail.

According to the FIR, the deceased was married to the

petitioner. She was done to death in the matrimonial home in

mysterious circumstances inasmuch as the dead body of the

deceased was cremated. When the father enquired about the

victim no satisfactory explanation was given save and except that

she was suffering from some ailments.

Learned counsel for the petitioner submits that

presence of the petitioner at the house itself shows his innocence. The victim died a natural death. The petitioner is in custody since 20.03.2014. There is no allegation in the FIR that the victim was tortured/ill-treated on account of non fulfilment of demand of dowry.

Learned APP conversely submitted that in his re-statement the informant has categorically alleged demand of dowry.

Considering the facts and circumstances of the case, this Court, for the present, is not inclined to grant bail to the petitioner. His prayer for bail is accordingly rejected.

However, considering the period of incarceration of the petitioner it is observed that if the charges are not framed and trial is taken up within seven months from the date of receipt/production of a copy of this order, the petitioner shall have liberty to make prayer for bail before the trial court itself.

(Kishore Kumar Mandal, J)

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