

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15015 of 2015

Arising Out of PS.Case No. -227 Year- 2013 Thana -KATRA District- MUZAFFARPUR

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Shiv Kumar Prasad Son of Ramdeo Mahto Resident of Village - Nawada,
P.S. - Katra, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prakash Shrarma

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 23-06-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Katra P.S. Case No. 227 of 2013 registered under section 302/34 IPC on the basis of the written report submitted by the father of the deceased who is none else but the wife of the petitioner. While in matrimonial home she was done to death. A wrong information was given to the informant about her missing from the house. There is some evidence on record which indicates that the petitioner was subsequently found clandestinely disposing of the dead body of the victim.

The contention of the petitioner is that the allegation of having tortured the deceased on account of non fulfilment of demand of dowry is concocted one. There is no direct evidence to

incriminate the petitioner in the alleged offence. He is in languishing in jail since 15.10.2013

From the materials on record it appears that the trial has already commenced. The material on record further indicates the complicity of the petitioner in the commission of the crime.

Regard being had to above, this Court is not inclined to grant bail to the petitioner. His prayer is accordingly rejected.

Considering the fact that the petitioner is in custody since 15.10.2013 and the trial has already commenced, this Court observes that if all the prosecution witnesses are not examined by the prosecution within nine months from the date of receipt/communication of this order, the petitioner shall have liberty to renew his prayer for bail.

(Kishore Kumar Mandal, J)

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