

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18093 of 2016

Arising Out of PS.Case No. -208 Year- 2015 Thana -DHAMDAHA District- PURNIA

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1. Bano Choudhary Son of Sri Sudan Choudhary, resident of Village-
Kabalsiya, P.S.- Dhamdaha, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

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

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

ORAL ORDER

4 28-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Dhamdaha
P.S. Case No. 208 of 2015 registered for the offence punishable
under Section 304(B)/34 of the Indian Penal Code.

Dulari Devi, the daughter of the informant was married
to the petitioner 5-6 years ago and allegedly, the petitioner and in-
laws used to torture her for dowry and further the petitioner was
having illicit relationship with his Bhabhi and earlier the daughter
of the informant has lodged complaint case also under Section
498(A) and other allied sections of IPC and Section 34 of Dowry
Prohibition Act and again she was tortured in her in-laws house
where she was assaulted and killed by the petitioner and other in-
laws.

Submission is of false implication and that no offence under Section 304(B) IPC is made out which is evident from Complaint Case No. 36 of 2010 wherein it is alleged that marriage has taken place on 14.03.2008, the wife of the petitioner died due to ailment, she was brought to Dr. S.S. Prasad, Purnia and then the informant lodged this false case.

The learned APP opposes the prayer of bail by submitting that during investigation the witnesses have supported the prosecution version and from the postmortem report it also reveals that deceased was assaulted and killed.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Dhamdaha P.S. Case No. 208 of 2015 pending in the Court of learned Judicial Magistrate, 1st Class, Purnea.

However, let the trial be expedited and concluded within a period of nine months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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