

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18710 of 2016

Arising Out of PS.Case No. -190 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

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Ashutosh Kumar @ Babu @ Ashutosh Kumar son of Late Ramadhar
Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-06-2016 Heard learned counsels for the petitioner and

learned APP for the State.

The petitioner being the husband of the victim
(sister of the informant) is languishing in custody since
07.01.2016 in a case registered for the offences punishable under
sections 341, 323, 498A of the Indian Penal Code in connection
with Patrakar Nagar P.S. Case No.190/2015, pending before the
learned Judicial Magistrate, 1st Class, Patna.

Prosecution case is that the sister of the informant
married with the petitioner in 2012 but subsequent to the
marriage the victim was being assaulted by the petitioner for
non-fulfillment of dowry demand. It is alleged that on
20.04.2015, the petitioner brutally assaulted the sister of the

informant when she was hospitalized in Budha Hospital, Hanuman Nagar and thereafter she was hospitalized in Tara Nursing Home where she was operated. But subsequent to discharge from the hospital she was against assaulted, as a result, she died on 26.05.2015.

It is submitted by learned counsel for the petitioner that the victim was given medical assistance at the behest of the petitioner and after discharge from the hospital she died on 26.05.2015. The post-mortem reflects cause of death due to severe infection of brain and its complication. It is further submitted that the case has yet not been committed to the court of seisin.

Considering the nature of accusation, this court is not inclined to grant bail to the petitioner at present. Accordingly, the application for bail on behalf of the petitioner is rejected.

However, if the trial will not be concluded within a period of nine months, the petitioner would be at liberty to renew the prayer for bail.

(Dinesh Kumar Singh, J)

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