

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47683 of 2016

Arising Out of PS.Case No. -82 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

Om Prakash Prasad

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-11-2016 Heard Mr. Yogesh Chandra Verma for the petitioner and
Mr. Dayal, learned APP for the State.

The petitioner being the husband of the deceased is an accused of an offence punishable under sections 304-B and 201/34 IPC and hence the prayer for bail. Within five years of marriage, the victim was done to death in mysterious circumstances while at her *Sasural*. The father lodged the case alleging that she was earlier tortured for non-fulfilment of the demand of dowry and subsequently she was done to death inasmuch as her deadbody was stealthily disposed of.

Mr. Verma submits that it was a love marriage and, therefor, there was no possibility of demand of dowry. There is delay of 2-3 days in lodging the case. Some other accused persons of this case have since been released on regular bail/anticipatory

bail.

Mr. Dayal, on the other hand, contends that in the FIR itself the delay has been explained. There is specific allegation of demand of dowry and her subjection to cruelty.

Considering the seriousness of the allegation and other materials reflected from the records, I am not persuaded to extend the petitioner the privilege of bail. Prayer is rejected.

However, if the trial does not record adequate progress within 11months from the date of receipt/production of a copy of this order, the petitioner shall have liberty to renew his prayer for bail in the court below.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--