

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 44378 of 2016

Arising out of P.S. Case No. - 123 Year - 2014 Thana - NAYAGAON District - SARAN

Jitendra Rai, S/o Late Hardeo Rai, R/o Village and P.O. and P.S. Nayagaon,
Distt. Saran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manish Chandra Gandhi, Advocate

For the Opposite Party: Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-12-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The sister of the informant Buchi Devi was married with this petitioner two and half years prior to her unnatural death in her matrimonial house. Allegation is of demand of dowry and torture for non-fulfilment of the same.

Learned counsel for the petitioner submits that the petitioner is in custody since 18.07.2016. The parties have entered into a compromise and the police has submitted charge-sheet only for offence under Section 364/34 of the Indian Penal Code.



Since presumption of dowry death is against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Nayagaon Police Station Case No. 123 of 2014 pending in the court of learned Additional Chief Judicial Magistrate-VI, Saran at Chapra. Hence, prayer for bail is refused.

The court below is directed to expedite the process of trial.

(Birendra Kumar, J.)

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