

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34863 of 2017

Arising Out of PS.Case No. -20 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

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Mithilesh Bhagat Son of Late Rajinder Bhagat Resident of Village- Harpur
Tegrahi Police Station- Mahammadpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-08-2017

Heard learned counsel for the petitioner.

The petitioner seeks bail in connection with
Mahammadpur P.S. Case No. 20 of 2016 registered for the
offences punishable under section 304(B), 201, 120(B) of the
Indian Penal Code.

Allegation against the petitioner is of dowry death.

Learned counsel for the petitioner submitted that
there is no independent witness of the occurrence and the deceased
died due to illness and she was hospitalized for her treatment and
also he has informed the family members of the deceased. The
petitioner has been in custody for about 7 months.

Heard learned A.P.P. He has opposed the prayer for bail
on the ground that the deceased died within seven years of



marriage and there is allegation that the petitioner used to torture her for demand of motorcycle in dowry. He stated that the parents of the deceased lady was not informed about her death.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. However, considering the submission that he is in custody for about seven months and further two witnesses not examined according to the petitioner, they are hostile as such, learned Additional District and Sessions Judge-V, Gopalganj is directed to conclude the trial of the petitioner within a period of six months.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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