

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23773 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -SAHJAHANPUR District- PATNA

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Avinash Kumar, Son of Kedar Prasad, Resident of Village- Shikarpur,
P.S.- Giriyak, District- Nalanda. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh, APP

For the Informant :- Mr. Kaushal Kishore, Advocate
Mr. Braj Bhushan Mishra, Advocate

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

3 03-07-2017 Heard learned Sr. Counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Sahjahanpur
P.S. Case No. 14 of 2016 registered for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Rinku Kumari, the daughter of the informant, was
married to the petitioner and due to non-fulfillment of demand of
Rs. 4 lakhs as additional dowry she was being tortured and
assaulted by the petitioner and others. Out of the wedlock there is
four years son and four months old daughter. In naihar also the
petitioner used to demand dowry. On 02.03.2016 the petitioner
and two unknown came and told Rinku Kumari to go with him to



which she denied and then the petitioner started making hue and cry and then the informant gave permission and thereafter, the petitioner took away her along with unknown and later on her dead body was found.

Submission is of false implication and that wrong and false story has been concocted in the first information report, the wife of the petitioner died in her naihar, she was of immoral character, she went to the place of occurrence without the petitioner which reveals that she was killed by another person and taking advantage the petitioner has been implicated.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that during investigation the witnesses have supported the prosecution version that the petitioner due to non-fulfillment of demand of dowry killed his wife with aid and assistance of two unknown persons.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, learned trial court is directed to expedite the trial and conclude the same as early as possible, preferably within nine months from the date of receipt/production of a copy of this



order, failing which, the petitioner, if at no fault, may be at liberty
to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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