

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17349 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -HATHUA District- GOPALGANJ

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1. Pradeep Giri, son of Oshihar Giri, resident of Village- Bari Ishar, Police Station- Hatuwa, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv

For the Informant : Mr.Harendra Prasad, Adv

For the Opposite Party/s : Smt. Saheen Begam,APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 30-07-2018

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), 201, 34 of Indian Penal Code.

Wife of this petitioner died soon after completion of one year of her marriage in her matrimonial house in unnatural circumstances. There is allegation of demand of dowry and torture for the same and commission of dowry death and disposal of dead body hurriedly.

Submission of the learned counsel for the petitioner is that the petitioner is in custody since 13.09.2017. Investigation of the case is already closed. The



independent witnesses have stated before the police that the victim died of sustaining burn injury while cooking food. Only family members and relations of the deceased have cooked up story of demand of dowry and torture for the same after death of the victim.

Learned counsel for the informant opposed the prayer for bail.

There is no dispute that unnatural death of the victim was there and the dead body was disposed of without information to the police or to the family members of the deceased. Allegation of demand of dowry and torture for the same is there. Hence, presumption of dowry death is against the petitioner.

In the circumstances, I am not inclined to enlarge the petitioner on bail in connection with Hathwa Police Station Case No. 89 of 2017 pending in the court of learned Chief Judicial Magistrate, Gopalganj/successor court.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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