

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52576 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- DHANAHAN District- West Champaran

Pappu Gupta Son of Ramchandrar Gupta @ Ramchandra Gupta Resident of
Village- Khalawa Pattitar, Police Station- Dhanaha, District- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Smt. Meena Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered under
Sections 304(B)/201/34 of the Indian Penal Code.

Daughter of the informant is said to have been
strangled to death by the petitioner and his family members
over dowry demand. Petitioner happens to be husband of the
deceased.

It is submitted by learned counsel for the
petitioner that the allegation levelled against the petitioner is not
specific rather general and omnibus in nature. Petitioner has
neither made any dowry demand nor committed any such
occurrence. He had gone outside the State in connection with



his livelihood. Witness in para-12 of the case diary has also stated so. He has been falsely implicated in the case merely because he happens to be husband of the deceased. He has been languishing in custody since 11.06.2018.

On the other hand, learned counsel for the informant and learned APP for the State vehemently opposing the bail petition submitted that there is allegation of committing murder of the deceased by strangulating over dowry demand against the petitioner and his family members. Doctor has found cause of death as asphyxia due to strangulation and also found injury on the neck of the deceased. The defence of alibi as taken by the petitioner is not considered at the stage of bail rather at the stage of trial.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to dispose of the case as expeditiously as possible preferably within nine months from the date of receipt/production of a copy of this order and S.P., West Champaran is directed to ensure production of the witnesses in the case on each and every date fixed without fail.



Let a copy of this order be communicated to S.P.,
West Champaran by fax for needful.

(Prakash Chandra Jaiswal, J)

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