

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63244 of 2017

Arising Out of PS.Case No. -117 Year- 2016 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Pradeep Kumar, S/o Bali Mahto, Resident of Village- Surhi, Police
Station- Islampur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 02-04-2018 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)/34 of the
Indian Penal Code.

Petitioner is husband of the victim of dowry
death who died within three years of her marriage in her
matrimonial house in unnatural circumstances. There is
allegation of demand of dowry and torture for the same to
the victim soon before death.

Submission of the learned counsel for the
petitioner is that there is no external or internal injury
noticed by the Doctor performing the postmortem
examination. The petitioner is in custody since 16.01.2017.



The victim died of illness.

Submission of the learned counsel for the State is that other witnesses have also supported the allegation of demand of dowry and torture for the same before death of the victim.

Considering the presumption against the petitioner, I am not inclined to enlarge him on bail for the present in connection with S.T.No.296 of 2017 (arising out of Islampur Police Station Case No. 117 of 2016) pending in the court of learned 3rd Additional Sessions Judge, Hilsa (Nalanda)/successor court.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt of a copy of this order. If the trial is not concluded within the aforesaid period, the petitioner would be at liberty to renew his prayer for bail before the learned trial court itself.

(Birendra Kumar, J)

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