

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49689 of 2018**

Arising Out of PS.Case No. -232 Year- 2017 Thana -DHAKA District- EASTCHAMPARAN  
(MOTIHARI)

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1. Uday Thakur S/o Krishan Kant Thakur @ Krishna Kumar Thakur, R/o  
Vill.- Rupauliya, P.S.- Dhaka (Pachparkhi), District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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

03 20-09-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in Dhaka  
(Pachparkhi) P.S. Case No. 232 of 2017 registered under  
Section 304-B/34 of the Indian Penal Code.

Petitioner happens to be husband of the  
deceased and said to have committed the dowry death of  
the deceased in association with his family members.

It is submitted by learned counsel for the  
petitioner that no such occurrence as alleged ever took  
place. He has been falsely implicated in this case only with  
an intent to blackmail him and to extort money from him.



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The deceased was suffering from various ailments and died due to the aforesaid ailment. The Naihar people of the deceased also took part in the cremation of the deceased. The petitioner has been languishing in custody since 06.07.2017.

On the other hand, learned APP for the State vehemently opposing the bail has submitted that the petitioner happens to be husband of the deceased and there is allegation of dowry demand and eliminating the deceased due to the said demand against the petitioner. The doctor has also reported the death of the deceased due to asphyxia caused by strangulation. Hence, the petitioner does not deserve bail.

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

However, the learned lower Court is directed to conclude the trial as expeditiously as possible preferably within a period of nine months from the date of receipt/production of a copy of this order. The Superintendent of Police, East Champaran at Motihari is directed to ensure the production of the witnesses in the



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Court on each and every date fixed in the case without fail.

Let a copy of this order be communicated to  
the Superintendent of Police, East Champaran at Motihari.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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