

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9766 of 2018

Arising Out of PS.Case No. -226 Year- 2017 Thana -GARKHA District- SARAN

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Jitendra Prasad, Son of Kanhaiya Prasad, Resident of Village- Narayanpur,
P.S.- Garakha, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Brisketu Sharan Pandey, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 16-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Garkha P.S. Case No.
226 of 2017 registered under Sections 304B and 201/34 of the
Indian Penal Code.

The petitioner who happens to be the husband of the
deceased is said to have committed dowry death of the daughter of
the informant by pouring kerosene oil on her in association of his
family members.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. As a matter of
fact, the petitioner had given money to the deceased to spend in
the marriage of her sister and when the petitioner demanded the



aforesaid money, she became upset and scuffle took place between them regarding the said money and she committed suicide by setting her ablaze. The marriage of the petitioner was solemnized beyond seven years of the date of occurrence. The petitioner has been languishing in custody since 20.12.2017. Other co-accused persons have been enlarged on bail by different co-ordinate benches of this court.

On the other hand, learned APP for the state vehemently opposing the bail petition submitted that the witnesses have supported the prosecution case and I.O. has also found smell of kerosene oil at the place of occurrence and stain of smoke on the wall of the room, 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. 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 commitment of the case.

(Prakash Chandra Jaiswal, J)

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