

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

**Criminal Miscellaneous No.30324 of 2018**

Arising Out of PS.Case No. -12 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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1. Azad Sah @ Azad Kumar S/o Ram Jivan Sah, R/o Vill.- Chakbali Diara,  
P.S.- Matihani, Distt.- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Shubhesh Pandey, Adv

For the Opposite Party/s : Mr. Sri Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      05-07-2018                      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)/34 of the  
Indian Penal Code.

Petitioner is husband of the victim of dowry  
death. Wife of the petitioner died within seven years of her  
marriage in her matrimonial house in unnatural  
circumstances i.e. either by hanging herself, as claimed by  
the petitioner that it is a case of suicide or by committing  
suicide due to torture given by the family members due to  
non-fulfillment of dowry demand. The witnesses have  
supported that there was demand of dowry and torture for  
the same since last one year.



Submission of the learned counsel for the petitioner is that some other witnesses have stated before the police that the victim committed suicide due to frustration as she had no issue in spite of marriage three year back. Later on, the informant also filed a petition that under some misconception he had lodged the case.

Considering the nature of allegation, presumption of law against the petitioner as well as material available on the record, I am not inclined to enlarge the petitioner on bail in connection with Matihani Police Station Case No. 12 of 2017 pending in the court of learned A.C.J.M.-IV, Begusarai/successor court.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

**(Birendra Kumar, J)**

Nitesh/-

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