

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35486 of 2018

Arising Out of PS.Case No. -213 Year- 2017 Thana -ARIYARI District- SEKHPURA

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1. Bipin Kumar son of Puna Mahto, resident of Village- Husainabad, P.S. Ariari, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-08-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Ariari P.S. Case No.213 of 2017, a case under Sections 304B/201/34 of the Indian Penal Code, pending in the Court of learned Sub-Divisional Judicial Magistrate, Sheikhpura.

Allegation is that the petitioner and others committed death for non-fulfillment of dowry to the wife of this petitioner. Brother of the deceased is the informant of this case.

Submission is that the deceased died of natural death after eight years of marriage. Hence, presumption of dowry death is not there. The informant has filed an affidavit disclosing the wrong information received by him about the occurrence.



Petitioner is in custody since 16.01.2018.

Since there is no proof of any ailment of the deceased and the dead body was disposed of without information to the police or the family members, I am not inclined to enlarge the petitioner on bail for the present. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial and conclude the same within six months, failing which the petitioner would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

(Birendra Kumar, J)

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