

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3960 of 2019

Arising Out of PS. Case No.-420 Year-2017 Thana- GARDANIBAG District- Patna

Shambhu Nath Kush Shri Baijnath Ojha Residing at Police Colony, Anisabad,
Behind, D/51 and D/56, P.S. Gardanibagh, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajni Kant Jha

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 04-09-2019 Heard the learned Senior Counsel for the petitioner and
the learned APP for the State.

The present petition, at the behest of the petitioner, for grant of regular bail is a second attempt inasmuch as the previous petition of the petitioner for grant of regular bail in connection with Gardhanibagh P.S. Case No. 420 of 2017 under Sections 304B/34 of the Indian Penal Code had been rejected by an order dated 10.7.2018 passed in Criminal Miscellaneous No. 26878 of 2018.

The allegation is regarding the petitioner having killed his wife on account of non fulfillment of the demand for dowry by hanging her.

The learned Senior Counsel for the petitioner has submitted that the deceased wife of the petitioner had in fact



committed suicide and the petitioner had no role in the death of his wife. It is further submitted that the petitioner is languishing in custody since a long time i.e. since 17.2.2018, hence, the petitioner is entitled for grant of regular bail.

This Court finds that the submissions made by the learned Senior Counsel on merits are the same as were made on the previous occasion, hence, admittedly, there has been no change in circumstance from the time the prayer of the petitioner was rejected on 10.7.2018 till date, so as to reconsider the prayer of bail of the petitioner herein.

Considering the facts and circumstances of the case as also taking into account the fact that there has been no change in circumstance during the interregnum period and the allegation against the petitioner i.e. of having killed his deceased wife, being a grave offence, this Court does not find any reason to reconsider the prayer of the petitioner for grant of bail, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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