

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3888 of 2019

Arising Out of PS. Case No.-119 Year-2018 Thana- RAMGARHWA District- East
Champaran

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Rakesh Kumar,, aged about 27 years, Male, Son of Laldew Thakur, R/o
Village-Satpipra, P.S.-Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh,APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-04-2019 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 lady. The

marriage was solemnized just a year before death. Allegation is

of torture to the victim by the family members including the

petitioner which resulted in unnatural death. In paragraph-5 of

the case diary, one of the witnesses stated that there was torture

for non-fulfilment of dowry demand. Unnatural death is not

disputed because the witnesses of the locality stated before the

police that they saw that the victim came out in a burning



condition.

Learned counsel for the petitioner submits that petitioner is in custody since 12.07.2018. In the FIR, there is no allegation of demand of dowry which is improvement in the statement of relation witness in paragraph-5 of the case diary. Therefore, presumption of dowry death is not there. He further submits that since the victim was not liking the petitioner she committed suicide and just to harass, false case has been lodged.

Considering the material available on the record, I am not inclined to enlarge the petitioner on bail in connection with Ramgarhwa P.S.Case No.119 of 2018 pending the court of learned Sub Divisional Judicial Magistrate, Raxaul, East Champaran. Hence, prayer is refused.

The learned Trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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