

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6496 of 2019

Arising Out of PS. Case No.-92 Year-2016 Thana- MADHUBAN District- East Champaran

Harindra Sahani @ Harendra Sahani, aged about 48 years, Male, S/o Baldeo Sahani Resident of Village- Hari Narainpur Tola Majahida, Police Station- Madhuban, District- East Champaran.

... .. Petitioner/s

VERSUS

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 22-04-2019 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), 201/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Petitioner is husband of the victim of dowry death. The victim died within a month of her marriage in her matrimonial house in unnatural circumstance. Allegation is of demand of motorcycle and torture for non-fulfillment of the same.

Submission of the learned counsel for the petitioner is that during investigation it came that the victim has committed suicide. Petitioner is in custody since 08.11.2017.



Investigation of the case is complete.

To constitute an offence under Section 304(B) I.P.C., it is not necessary that murder should be committed. The only requirement is that unnatural death should be result of demand of dowry and torture for the same.

Considering the material on the record, I am not inclined to enlarge the petitioner on bail in connection with Madhuban P.S.Case No.92 of 2016 pending in the court of learned Additional Chief Judicial Magistrate IVth, East Champaran, Motihari. Hence, prayer is refused.

The learned Trial Court is directed to expedite the trial and conclude the same preferably within a period of nine months, failing which the petitioner would be at liberty to renew the prayer before the learned court below itself.

(Birendra Kumar, J)

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