

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76614 of 2018

Arising Out of PS. Case No.-357 Year-2016 Thana- KHAJANCHI HAT District- Purnia

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Dipak Kumar Keshri @ Dipak Keshri @ Dipak Kesri Son of Sri Jag Narayan
Keshri Resident of Mohalla-Churipatti Madhubani, P.S. K.Hat Madhubani,
Distt.-Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 23-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in K. Hat (Madhubani)
P.S. Case No. 357 of 2016 (G.R. No.2596 of 2016) registered
under Sections 304(B) and 120(B)/34 of the Indian Penal Code.

Petitioner who happens to be husband of the
daughter of the informant is said to have committed her dowry
death by pressing her neck.

It is submitted by learned counsel for the
petitioner that there is no eye witness of the occurrence. Post
mortem report also does not corroborate the prosecution case.



Petitioner is languishing in custody since 13.08.2016. Vide order dated 15.03.2018 of this Court, learned lower court was directed to conclude the trial preferably within nine months from the date of commitment of the case, but after commitment of the case only charge has been framed in the case on 08.10.2018 and uptill now no prosecution witness has been examined, hence the petitioner may be enlarged on bail.

On the other hand, learned APP for the State opposing the bail petition submitted that injury mark has been found on the neck of the deceased and doctor conducting the autopsy of the deceased has opined the cause of death due to asphyxia as a result of strangulation. Deceased has died in the marital house in unnatural circumstances and the petitioner happens to be the husband of the deceased. Hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order fixing the case on day to day basis and S.P. Purnea is directed to ensure production of the witnesses in the case on



each and every date fixed in the case without fail.

Let a copy of this order be communicated to the
S.P. concerned by fax for needful.

(Prakash Chandra Jaiswal, J)

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