

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78187 of 2018

Arising Out of PS. Case No.-315 Year-2018 Thana- KANKARBAG District- Patna

Ajay Kumar, son of Nand Kishore Prasad, resident of Mohalla-Chandmari
Road in front of Road No.8, Police Station, Kankarbagh, District, Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Mishra
For the Opposite Party/s	:	Ms. Anita Kumari Singh
For the Informant	:	Mr. Saket Anand

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kankarbagh P.S. Case No.
315/2018 registered for the offences punishable under Sections
304(B)/34 of the Indian Penal Code.

Informant is the brother of the deceased (Alka Kumari) who has stated that his deceased sister was married with the petitioner in the year 2015. Thereafter, she was subjected to torture for non-fulfillment of demand of dowry by her husband and in-laws. On 13.04.2018 when his brother called his sister in-law's house, the petitioner told that his sister is no more. He suspected that petitioner along with his family members have killed his sister.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case.

However, in the case diary, the I.O. has recorded in the inquest report of deceased that in her neck U shape ligature mark was found and death has been attributed to Asphyxia due to ligature on neck. Witnesses have supported allegation of dowry demand.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and also in view of the fact that petitioner is husband of the deceased and there is direct allegation against him, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the court below is directed to expedite the trial and conclude the same within one year from the date of receipt of the order.

(S. Kumar, J)

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