

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79611 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- KEWATI District- Darbhanga

Md. Tanvir @ Md. Tanveer @ Gulab S/o Late Md. Soyeb R/moh-Chhatwan,
P.S-Keoti, Distt.-Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Chaubey Jawahar

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

ORAL ORDER

3 15-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Keoti P.S. Case No. 117 of
2018 registered under Section 304-B/34 of the Indian Penal
Code.

The petitioner, happens to be husband of the deceased, is
said to have committed dowry death of the deceased.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. The petitioner
has committed no offence and has no concern with the aforesaid
occurrence. He has been falsely implicated in this case. The
petitioner has neither made any demand of dowry nor ever
tortured the deceased nor any of the witnesses has stated about



demand of dowry by the petitioner. As a matter of fact, the petitioner pushed the deceased over some petty family dispute and the deceased fell on the tube well located in the courtyard and sustained injury. She was then rushed to the hospital and got admitted there but she succumbed to injury. Thus, it is a case of accidental death. One minor child of the deceased is living with the petitioner. The petitioner has been languishing in custody since 26.07.2018.

Per contra, learned counsel for the informant and learned APP for the State vehemently opposing the bail petition have submitted that the petitioner happens to be husband of the deceased and has committed dowry death of the deceased by assaulting her. The doctor who has conducted the autopsy of the cadaver of the deceased has also found head injury on the person of the deceased which was grievous and dangerous to life in ordinary course of nature. The witnesses have also supported the prosecution case.

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

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine



months from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in conclusion of the trial. The Superintendent of Police, Darbhanga is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be sent to the Superintendent of Police, Darbhanga for needful.

(Prakash Chandra Jaiswal, J)

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