

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80814 of 2018

Arising Out of PS. Case No.-152 Year-2014 Thana- RAJAPAKAR District- Vaishali

Md. Sagir, son of Md. Akhatar, resident of Village – Jaffarpatti, Police Station
Rajapakal, District Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Anita Kumari Singh

For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

4 20-02-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Rajapakar P.S. Case No. 152
of 2014 registered under Section 304-B of the Indian Penal
Code.

Petitioner, who happens to be husband of the deceased, is
said to have committed dowry death of the deceased in
association of his family members.

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 dowry demand nor ever
tormented the deceased over the said demand nor eliminated
her. As a matter of fact, the deceased committed suicide due to
some family feud and regarding the said incident U.D. Case



No.03 of 2014 has been lodged and subsequently the informant has lodged the false and frivolous case against the petitioner and his family members to extract money from them. The petitioner has been languishing in custody since 23.07.2018.

On the other hand, 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 murder of the deceased by hanging her. The doctor has also found the cause of death due to strangulation. The aforesaid occurrence took place within two years of the marriage though the aforesaid U.D. case was lodged at the instance of the father of the petitioner but after knowledge of death, father of the deceased has lodged this case against the petitioner and his family members.

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

However, the learned lower Court is directed to conclude the trial within nine months from the date of commitment of the case.

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(Prakash Chandra Jaiswal, J)

