

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52528 of 2018**

Arising Out of PS. Case No.-204 Year-2017 Thana- RAFIGANJ District- Aurangabad

Umesh Prajapati S/o Nanhak Prajapati @ Nanhaku Prajapati, R/o Village-
Jakhim, P.S.- Rafiganj, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

11 11-06-2019 Report of the Forensic Science Laboratory, Patna,

has been received in sealed cover, opened and after perusal of

the report the same is again sealed.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offence
punishable under Section 304B/34 of the Indian Penal Code in
connection with Rafiganj P.S. Case No.204 of 2017.

Petitioner is husband of the victim of dowry death.
Unnatural death of the wife of the petitioner took place in the house
of the petitioner within one and half years of marriage. There is
allegation of demand of dowry and torture for the same.

Submission of learned counsel for the petitioner is that
allegation is not specific against the petitioner. Other co-accused



have already been allowed bail in this case. The petitioner is in custody since 28.05.2018. Submission is that the victim died due to fall from a ladder.

No external injury was found by the doctor, who performed post mortem examination, and the viscera report reveals that no poisonous substance was noticed by the FSL. The paternal family members of the deceased supported the allegation of demand of dowry and torture.

Considering the presumption of law against the petitioner, I am not inclined to enlarge the petitioner on bail for the present. Hence, the prayer for bail is refused. The trial Court is directed to expedite the trial and conclude the same preferably within nine months, failing which the petitioner would be at liberty to renew the prayer for bail before the trial judge itself.

(Birendra Kumar, J)

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