

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74177 of 2018

Arising Out of PS. Case No.-210 Year-2016 Thana- BHAGWANPUR District- Vaishali

Chandan Ray son of Ram Dayal Ray, resident of Village- Ratanpura, P.S.-
Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 22-04-2019 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 Sections 341, 342, 323, 326, 307, 498(A)/34, 304(B) of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act in connection with S.Tr. No. 329 of 2017 arising out Bhagwanpur P.S. Case No. 210 of 2016.

Petitioner is husband of the victim of dowry death. Allegation is of demand of dowry and torture for the same soon before death. The allegation has been supported by the victim lady herself, who is informant of this case.

Submission of learned counsel for the petitioner is that in the FIR, the date of marriage is deliberately suppressed and in fact the marriage was solemnized 10 years ago. There is



a son borne in the year 2010, which would be evident from his certificate of birth as well as Aadhar Card. Moreover, the nature and extent of burn found by the doctor on the whole body would make it clear that the victim was not in a position to make any statement nor any certificate of doctor is attached with the statement to give it sanctity.

Learned counsel for the informant submits that prosecution evidence is already closed now and the case is running for defense evidence which is upon the petitioner and others to get the trial concluded at the earliest. Perused the report of the learned trial judge.

Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail for the present. Hence, his prayer for bail is refused.

Learned trial court is directed to conclude the trial within three months without allowing any unnecessary adjournment to the parties and shall take up on day to day basis if practically.

(Birendra Kumar, J)

Rajan/Banti

U		T	
---	--	---	--

