

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41337 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- BAJPATTI District- Sitamarhi

Vikash Mishra Son of Kaushal Mishra Resident of Village- Ratwara, P.S.-
Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Ashraf Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard the parties.

The petitioner seeks bail in Bajpatti P.S. Case No. 76 of 2018 corresponding to Sessions Trial No. 262 of 2018, registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Petitioner happens to be the husband of deceased. Informant alleged that his daughter was married with the petitioner about 4 to 5 years ago. It is further alleged that due to non-fulfillment of demand of dowry, the informant's daughter was done to death by the petitioner and other co-accused.

It is submitted on behalf of the petitioner that there is general and omnibus allegation against this petitioner. Petitioner has got two children. Petitioner has falsely been implicated in this case. In fact due to family dispute, daughter of the



informant committed suicide. Petitioner is in custody since 26.05.2018 having no criminal antecedent.

In view of the allegation of torture and committing murder due to non-fulfillment of demand of dowry and the fact that petitioner happens to be the husband of deceased, I am not inclined to enlarge the petitioner above-named on bail in connection with Bajpatti P.S. Case No. 76 of 2018 corresponding to Sessions Trial No. 262 of 2018. Accordingly, the same is rejected.

However, the trial court is directed to hold the trial on day-to-day basis and conclude the same preferably within one year from the date of receipt of this order.

(Prabhat Kumar Singh, J)

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