

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47655 of 2019

Arising Out of PS. Case No.-55 Year-2015 Thana- AAYAR District- Bhojpur

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1. Chait Musahar Son of Bahadur Musahar Resident of Village - Ratanpur, P.S.- Ayar, District - Bhojpur.
 2. Arjun Musahar Son of Chait Musahar Resident of Village - Ratanpur, P.S.- Ayar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-08-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 304B/201/34 of the Indian Penal Code.

The petitioners are husband and father-in-law of the victim of dowry death.

Allegation is that there was demand of T.V. and bicycle and for non-fulfillment of the same the victim was being tortured and ultimately her death was committed by throttling her.

Submission is that allegation is general and omnibus.



Considering the presumption of dowry death and the material available on the record, I am not inclined to enlarge petitioner No.2 Arjun Musahar, who is husband of the victim of dowry death, on bail. Hence, the prayer for bail is refused. The trial Court is directed to expedite the trial and conclude the same preferably within one year, failing which the petitioner would be at liberty to renew the prayer for bail before the trial judge itself.

Considering the general and omnibus nature of allegation against Petitioner No.1 Chait Musahar, father-in-law of the victim, let him be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sessions Trial No.130 of 2019, arising out of Ayar P.S. Case No.55 of 2015, with condition that petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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