

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54239 of 2019

Arising Out of PS. Case No.-173 Year-2016 Thana- JHANJHARPUR District- Madhubani

PAWAN RAUT @ PAWAN KUMAR RAUT Son of Vishwa Nath Raut
Resident of Village - Purani Bazar Machhahatta Chouk, P.S.- Jhanjharpur,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mira Kumari

For the Opposite Party/s : Mr. Syed Ehteshamuddin

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in a case registered
for the offence punishable under Sections 304 B & 315/34
of the Indian Penal Code.

The petitioner, who happens to be husband of
the deceased, is said to have committed dowry death of
the sister of the informant in association of his family
members by strangulating her neck.

It is submitted by learned counsel for the
petitioner that no such occurrence as alleged ever took
place. As a matter of fact, the deceased was suffering from
some ailment and succumbed to her ailment. The



petitioner has been falsely implicated in the case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent. The petitioner has been languishing in custody since 05.01.2017.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the witnesses have supported the prosecution case. The doctor has found several injuries on the person of the deceased including ligature mark on her neck and has opined the cause of death as Ashyuxia caused by strangulation. Petitioner happens to be husband of the deceased, hence he does not deserve bail.

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

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within five months from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in conclusion of the trial. The Superintendent of Police,



Madhubani is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be sent to the Superintendent of Police, Madhubani for needful.

(Prakash Chandra Jaiswal, J)

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