

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60874 of 2018

Arising Out of PS. Case No.-99 Year-2017 Thana- GHOGHARDIHA District- Madhubani

Shambhu Kamat @ Shambhoo Kamat, Son of Jagranath Kamat, Resident of
Village - Behrari, P.S.- Ghoghardiha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Lal Das, Advocate
For the Opposite Party/s : Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the victim, is languishing in custody since 17.03.2018 in a case registered for the offences punishable under Sections 304B, 201, 506 and 120B/34 of the Indian Penal Code.

The prosecution case as per the written report of Gopal Kamat submitted to Station House Officer of Ghoghardiha is to the effect that the marriage of the daughter of the informant was performed with the petitioner in 2014 but subsequent to the marriage, there was further dowry demand of two bhari of gold and due to the non-fulfillment of the same, the daughter of the informant was killed on 11.10.2017 by the petitioner and other in-law family members.



It is submitted by learned counsel for the petitioner that the victim died due to the illness. The bonafide of the petitioner gets reflected from the fact that the information about the death of the victim was given to the informant, whereupon he came and participated in cremation and after the cremation, the case has been lodged by the informant.

A statement has been made in paragraph 3 of the petitioner that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the independent witness in paragraph 19 of the case diary has supported the accusation of killing. The death admittedly has taken place within three years of the marriage and there is accusation of demand of dowry against the petitioner and other in-law family members.

Considering the thrust of accusation against the petitioner, being the husband of the victim, this Court is not inclined to grant bail to the petitioner in connection with Ghoghardiha P.S. Case No. 99 of 2017, pending in the Court of learned Sub-divisional Judicial Magistrate, Jhanjharpur, District – Madhubani.

Accordingly, the prayer for bail of the petitioner is



rejected for the present.

Let the trial be expedited.

However, if the trial will not be concluded within a period of one year due to the laches on the part of the prosecution, then the petitioner will be at liberty to renew the prayer for bail.

(Dinesh Kumar Singh, J)

DKS/-

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

