

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73095 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- CHOUTARWA District- West Champaran

Rupesh Chaubey, son of Late Gajanand Chaubey, resident of Village-
Chaubariya, Police Station- Chautarwa, District- West Champaran at Bettiah.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 20-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
10.07.2018 in a case registered for the offences punishable
under Sections 304B, 201/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter
Poonam Devi's marriage was performed with the petitioner
Rupesh Chaudhary four years prior to lodging of the present
case. Subsequently, further dowry demand of Rupees One Lac
was made and due to non-fulfillment of the same, torture was
inflicted upon the daughter of the informant. Ultimately, on



26.04.2018, all the accused persons after killing the daughter of the informant concealed the dead body.

It is submitted by learned counsel for the petitioner that the daughter of the informant died of diarrhea, hence postmortem of the dead body of the victim was not conducted. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the victim was killed within four years of marriage and the petitioner, being the husband of the victim, is responsible for her death.

Considering the fact that the petitioner, being the husband of the victim, is responsible for the death of his wife within four years of marriage and material on record suggests that the dead body was disposed of without allowing the family members of the victim to participate in the cremation or to get the postmortem conducted, this Court is not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner in connection with Chautarwa P.S. Case No.75 of 2018, pending before the learned In-charge Additional Chief Judicial Magistrate, District, West Champaran at Bettiah is rejected.



However, it is expected from the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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