

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1991 of 2020

Arising Out of PS. Case No.-75 Year-2019 Thana- PANAPUR District- Saran

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RUPESH RAI @ RUPESH YADAV Son of Motichand Ray Resident of
Village - Semarah, P.S. - Panapur, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Harish Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 25-08-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner seeks bail in Panapur P.S. case No. 75/2019 registered u/s 304B/201/34 of the IPC.

The mother of the deceased, in gist, alleged that she married her daughter to Rupesh Rai, the petitioner, in the year 2016 and only after two months the accused persons, including the petitioner, started subjecting her daughter to physical and mental torture for fulfillment of additional demand of motor cycle and cash of Rs. 50,000/-. The informant got information on 23.04.2019 that her daughter was killed. When the informant went to the house of her daughter the house was closed and inmates of the house were not present. The people of the



vicinity disclosed that dead body of her daughter was cremated.

The learned counsel for the petitioner submits that the marriage was solemnized in the year 2016. It is alleged that petitioner and his family members were subjecting the deceased to physical and mental torture but no information was given to the police. It is further submitted that petitioner never demanded any dowry nor tortured his wife for fulfillment of demand of dowry. The wife of the petitioner died of diarrhea and all possible efforts were made to save the life of the wife of the petitioner but she could not be saved. The informant taking advantage of such unfortunate happening lodged the case with an object to extract money after the death of her daughter.

The learned APP, however, opposed the prayer for bail.

It appears that within three years from the date of her marriage the deceased was alleged to be killed and without giving any information to the informant and other family members of the deceased her dead body was hurriedly cremated. When the informant reached the house of her daughter, after having received the information about her death, the petitioner and other family members were not present. During the course of investigation, the witnesses also appears to have supported



the version of informant

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail, at this stage. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the receipt of this order.

The Superintendent of Police, Saran at Chapra is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court and Superintendent of Police, Saran at Chapra for information and needful.

If the trial is not concluded within nine months, the petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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