

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19127 of 2020**

Arising Out of PS. Case No.-583 Year-2019 Thana- SAHAYAK NAGAR District- Katihar

Jitendra Sah, age 30 years, Male, son of Narayan Sah, R/o-Jaynagar, P.S.
Mansahi, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The instant application for regular bail has been filed by the petitioner in connection with S.Tr. no. 60 of 2020 arising out of Nagar (S) P.S. Case no.583 of 2019 registered under section 365 of the Indian Penal Code to which sections 302 and 304B of the Indian Penal Code were added subsequently.

As per allegation in the FIR, the sister of informant was married to the petitioner about 5 years back. It is stated that a son was born out of the said wedlock. The accused persons including the petitioner herein who happens to be the husband of the deceased started to torture the informant's sister for non-fulfilment of demand of dowry and also started to assault her.

It is submitted by learned counsel for the petitioner



that the petitioner who happens to be the husband of the deceased has been falsely implicated in the case on the basis of the false and concocted story. Admittedly, the informant is not an eye witness to the occurrence and there is no material against the petitioner except an unfounded suspicion. The allegations are general and omnibus in nature and the petitioner is in custody since 22.9.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on going through the record, it transpires that it has come during course of investigation that it was on the basis of confession that the decomposed body of the deceased was recovered. Charges have been framed in the instant case on 10.2.2020.

In view of the nature of allegation, the Court is not inclined to enlarge the petitioner on bail. As such the application for bail is rejected.

(Partha Sarthy, J)

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