

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46631 of 2019

Arising Out of PS. Case No.-7 Year-2019 Thana- WARISLIGANJ District- Nawada

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RUPESH KUMAR Son of Manoj Kumar Resident of Village-Manjour, P.S.-
Warisaliganj, District-Nawada (Bihar).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 02-06-2020 Heard learned counsel for the petitioner and State.

The matter has been taken up through virtual Court proceeding.

The petitioner is languishing in jail since 7.2.2019 in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC.

The prosecution case, as per the written report of Chandra Kala Devi submitted to the SHO, Warsaliganj Police Station, is to the effect that the second daughter of the informant, namely, Sonam alias Chhoti Kumari was married with the petitioner on 11.5.2014. Subsequently, they were blessed with two children but there was demand of transfer of certain land situated at Lakhisarai in favour of the petitioner. It is alleged that on 8.1.2019, the petitioner came to the informant's house and abused them for not transferring the said



land and took away motorcycle. Subsequently, the said motorcycle was recovered from possession of the petitioner. On 11.1.2019, the victim called the informant and suggested that if the land is not transferred, she will be killed. It is further alleged that on 12.1.2019, the informant came to know that his daughter has been killed.

It is submitted by learned counsel for the petitioner that the victim died due to illness and the accusation of demand for transfer of land after about five years of marriage is absolutely unreasonable. The investigation has already been concluded and there is no likelihood of the trial being concluded in near future.

Learned APP submits that petitioner is the husband of the victim and thrust of accusation is against him. It is further submitted that it has transpired during investigation that for not transferring the land, the daughter of the informant was killed and hurriedly, the dead body was disposed of. The independent witnesses have supported the accusation during the course of investigation.

Considering the fact that the death of the victim has taken place within five years of marriage, there was accusation of demand of transfer of land by way of dowry and the victim



died unnatural death, this Court, at present, is not inclined to grant bail to the petitioner in connection with Warisaliganj P.S. Case No. 7 of 2019 pending in the Court of learned ACJM I, Nawada. Prayer of the petitioner for bail is rejected.

However, let the trial be expedited.

(Dinesh Kumar Singh, J)

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