

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49503 of 2019

Arising Out of PS. Case No.-431 Year-2017 Thana- AGAMKUAN District- Patna

Manish Kumar, Son of Arun Singh @ Arun Kumar Singh Resident of Village-
Wiman, Police Station-Ariyari, District-Sheikhpura, at present Baudh Vihar
Colony C/o Harendra Prasad, near Panchvati Mandir, Police Station-
Agamkuan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Thakur, Adv. Mr. Shashank Shekhar, Adv.
For the Informant	:	Mr. Sanjeev Kumar, Adv.
For the State	:	Mr. J.N. Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 28-05-2020 The matter has been taken through virtual court
proceeding.

Heard learned counsels for the petitioner, informant
and the State.

The petitioner being the husband of the victim has
renewed his prayer for bail in a case registered for the offences
punishable under Sections 328 and 304B of the IPC.

The prosecution case as per the fardbeyan of Manoj
Kumar Singh recorded by K.K. Singh, being the S.I., Agamkuan
Police Station on 10.09.2017 at 8.30 A.M., at Nirmal Hospital
New Bypass, Bahadurpur Housing Colony, Patna is to the effect
that the informant's daughter Pallavi Kumari was married with



the petitioner on 22.04.2016, but subsequent to the marriage, further dowry demand of Rs. 5 lacs was made by all the accused persons including the petitioner and due to non-fulfillment of the same, the daughter of the informant was poisoned by all the accused persons. Subsequently, the daughter of the informant died during course of treatment on 10.09.2017.

Learned counsel for the petitioner submits that the petitioner is languishing in custody since 03.11.2017. The accusation against the petitioner is omnibus and general. It is further submitted that though charges have been framed on 28.04.2018, but recently no witness has been examined, hence there is no likelihood of trial being concluded in near future.

Learned counsel for the informant and the State submit that thrust of accusation is against the petitioner being the husband of the victim and three witnesses have already been examined and rest three witnesses including I.O. and doctor are left to be examined. The viscera report also supports the accusation of consumption of poison and the postmortem report reflects several injuries on the body of the victim.

Considering the accusation of poisoning and assault being corroborated by the F.S.L. and postmortem reports, this Court is not inclined to grant bail to the petitioner for the



present.

Accordingly, the prayer for bail of the petitioner is rejected in connection with Sessions Trial No. 151 of 2018, arising out of Agamkuan P.S. Case No. 431 of 2017, pending in the Court of learned Additional Sessions Judge-1, Patna City.

However, if the trial is not concluded within next four months, the petitioner will be at liberty to renew the prayer for bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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