

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64997 of 2019**

Arising Out of PS. Case No.-129 Year-2019 Thana- DUMRAO District- Buxar

Chandan Kumar Jaiswal, Son of Late Shambhu Saw Resident of Jangal Bazar-Dumraon, Ward No.11, P.S.-Dumraon, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Dr. Kamal Deo Sharma- Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**

ORAL ORDER

6      21-09-2020                      Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioner is in custody since 30.03.2019 and seeks bail in connection with Sessions Trial No.140 of 2019 arising out of Dumraon P. S. Case No.129 of 2019 registered for the offences punishable under Sections 304(B), 498(A)/34 of the I.P.C. and Section 3/4 of the D. P. Act.

Petitioner happens to be husband of deceased and there is accusation against him that he committed the murder of deceased on account of non-fulfilment of illegal demand of dowry. Admittedly, deceased died within three years of her marriage.



However, learned counsel for the petitioner submits that in course of trial, the informant as well as other family members of the deceased have not supported the prosecution case and they specifically stated that the relation of deceased with her husband was cordial and there was no demand of dowry. Learned counsel for the petitioner further submits that except, I.O. and doctor, almost all the prosecution witnesses have already been examined and there is no likelihood of examination of I.O. and doctor in near future on account of present situation of pandemic.

On the other hand, learned Additional Public Prosecutor opposed the prayer submitting that it is a serious case of dowry death and the trial of the petitioner is on the verge of conclusion.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail stands rejected.

However, learned trial Court is directed to conclude the trial of the petitioner within four months from the date of receipt/ production of a copy of this order, failing which the petitioner shall be at liberty to renew his prayer for bail before



the trial Court itself.

**(Hemant Kumar Srivastava, J)**

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