

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.74398 of 2019**

Arising Out of PS. Case No.-88 Year-2019 Thana- BANGAWON District- Saharsa

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RUPESH KUMAR JHA Son of Shri Jatashankar Jha Resident of Village-  
Murli Basantpur, P.S.- Bangaon, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                      |   |                                                              |
|----------------------|---|--------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Krishna Prasad Singh, Sr. Adv.<br>Mrs. Meera Singh, Adv. |
| For the State        | : | Mr. Dilip Kumar No. 1                                        |
| For the informant    | : | Mr. Sanjay Kumar Jha, Adv.                                   |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      05-03-2020                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner seeks bail in a case registered under  
Sections 304B, 302/34 of the Indian Penal Code.

The prosecution case, in brief, is of committing torture and  
caused death of the victim due to non-fulfillment of demand of  
dowry.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation  
of tampering of witnesses alleged against the petitioner. The  
petitioner is in custody since 05-08-2019. Charge sheet in this  
case has already been submitted. The petitioner has been falsely  
implicated in the present case. There is no other substantive



evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State and the informant, it is submitted that the petitioner is named in the FIR. He is husband of the deceased. The witness in paragraph-35 of the case diary has stated that at the instance of the petitioner, the alleged occurrence is said to have taken place. The postmortem report supports the allegation made in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Bangaon P.S. Case No. 88 of 2019 is rejected.

Learned trial court is directed to expedite the trial of the petitioner.

**(Sudhir Singh, J)**

A.K.V.//-

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