

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15297 of 2021

Arising Out of PS. Case No.-329 Year-2019 Thana- PIPRAKOTHI District- East Champaran

Upendra Kumar Son of Mahanth Das Resident of Village - Dhekanha Bala
Tola, P.S.- Piprakothi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rashmi Jha

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-11-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Piprakothi P.S. Case No.
329 of 2019, registered for the offence punishable under
Sections 304(B), 201 and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner along with
other accused persons committed murder of informant's
daughter by pressing her neck due to non-fulfillment of demand
of dowry. Petitioner is husband of the deceased.

It is submitted on behalf of the petitioner that
petitioner is innocent and has committed no offence. No such
occurrence has ever taken place and there was no demand of
dowry by the petitioner. In fact, deceased died due to Diarrhoea.
There is general and omnibus allegation. Petitioner is in custody



since 06.01.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of her marriage at her matrimonial home.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

However, as petitioner is in custody since 06.01.2020, trial court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J)

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