

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35878 of 2020

Arising Out of PS. Case No.-60 Year-2019 Thana- SAHPUR District- Patna

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Dhaneshwar Rai @ Thaneshwar Prasad Singh son of Late Rama Kant Rai @
Rama Kant Ray resident of Village- Purvi Panapur, P.S.- Danapur, District-
Patna at present resident of village- Raghurampur, P.s.- Shahpur, District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rama Kant Jha

For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-01-2021 Heard both sides.

The petitioner seeks bail in Shahpur P.S. Case No.60
of 2019(Sessions Trial No.237 of 2020) registered under
Sections 304B and 120B of the Indian Penal Code.

The mother of the deceased alleged that her daughter
was married with the petitioner on 20.05.2018 but her husband
was regularly assaulting her due to non-fulfillment of demand of
dowry. The informant got information that her daughter was
killed. When the informant went to the house of her daughter,
the informant came to know that dead body was concealed in
order to screen out the evidence.

The learned counsel for the petitioner submits that
petitioner is mentally sick. The Jail doctor gave information



when an information was sought by one Sidheshwar Prasad Singh that the petitioner was suffering from mental illness even at the time of admission in the jail. The doctor also got the petitioner treated in P.M.C.H. It is submitted that on this ground, the petitioner deserves bail but I find that the petitioner is the husband of the deceased. The deceased was not only killed within nine months of her marriage with the petitioner but her dead body was also concealed.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

If the petitioner, so desires, may file petition before the trial court for proper treatment of the petitioner and on such, the trial court shall call for a report from the Jail doctor and if necessary arises, the trial court shall pass order for proper treatment of the petitioner to P.M.C.H.

The trial court is further directed to hold the trial on day to day basis and conclude the same within nine months.

The S.S.P., Patna is directed to ensure the attendance of the prosecution witnesses so that the trial must be concluded within nine months.

Let a copy of this order be sent to the trial court as



well as S.S.P., Patna for information and needful.

If the trial is not concluded within nine months, the
petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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