

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14029 of 2021

Arising Out of PS. Case No.-39 Year-2016 Thana- RAMNAGAR District- West Champaran

SUNIL SAH Son of Gorakh Sah Resident of Village - Chudiharawa, P.S.-
Ramnagar, Distt.- West Champaran. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mitali, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 04-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred the instant application for grant of regular bail in connection with Ramnagar P.S. Case no. 39 of 2016 registered under sections 304B and 34 of the Indian Penal Code.

As per allegation in the F.I.R., the daughter of the informant who was married to the petitioner was tortured for non-fulfillment of demand of dowry and ultimately done to death by poisoning.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. No incriminating material has transpired in course of investigation to implicate the petitioner. No external or internal



injury was found in the postmortem report. The trial in case has proceeded and both PW 1 and PW 2 who are the mother and brother of the deceased have turned hostile. The petitioner is in custody since 10.1.2020 and has no criminal antecedent. He undertakes to abide by the conditions which may be laid by this Court for his release on bail. The parties have settled their misunderstanding and arrived at a settlement.

Heard learned A.P.P. for the State.

From the report received from the learned Court below, it transpires that two prosecution witnesses out of the six charge-sheet witnesses have been examined. Further from perusal of the case diary, it transpires that the witnesses have supported the allegations made in the F.I.R. In the F.I.R. of the year 2016, the petitioner continued to abscond till he was arrested on 10.1.2020. The trial having proceeded, in the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned Trial Court is directed to expedite the trial

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(Partha Sarthy, J)

