

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7076 of 2022**

Arising Out of PS. Case No.-152 Year-2016 Thana- RAJAPAKAR District- Vaishali

Dharmendra Kumar S/o Chhatu Ram R/o village- Sarmaipur, P.S.- Raja
Pakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

4 10-10-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Raja
Pakar P.S. Case No. 152 of 2016 registered for the offence under
Sections 304(B), 34 and 201 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 12.01.2017.

The allegation against the petitioner is to cause death
of daughter of the informant/his wife due to non-fulfillment of
demand of dowry, alongwith other family members/co-accused
persons.

Learned counsel appearing on behalf of the petitioner



submitted that the daughter of the informant died during treatment, due to excessive vaginal bleeding. It is submitted that present prosecution is nothing but an afterthought, where last rites was also performed after due information/participation. It is further pointed out that petitioner is in custody since 12.01.2017 and the trial is not likely to conclude in the near future, as even case is not committed to the Sessions Court. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail, submitted that petitioner is the husband of the deceased.

In view of the facts and circumstances, as mentioned above, as petitioner was suffering from excessive vaginal bleeding, as per report of Primary Health Centre, Chaksikandar (Annexure-4 of the present bail petition), where petitioner is in custody since 12.01.2017 coupled with the fact that trial is not likely to conclude in the near future, as case is not even committed to the Sessions Court, as of now, let the petitioner, above named, is directed to be released on bail in connection



with Raja Pakar P.S. Case No. 152 of 2016 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

U		T	
---	--	---	--

