

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9158 of 2022

Arising Out of PS. Case No.-899 Year-2021 Thana- BANKA District- Banka

Sunil Das Son Of Late Wakil Das Resident of Village - Maheshadih, P.s.-
Banka, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-08-2022 The learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within

one month.

Heard leaned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with Banka
P.S. Case no. 899 of 2021 registered for the offences punishable
under Section 302/34 of the Indian Penal Code.

As per allegation the petitioner and his elder brother
murdered the informant's daughter and as per the FIR this peti-
tioner always subjected the victim to torture on account of birth
of three daughters and also demanded Rs. 2,00,000/- from her.

The main submissions advanced by Mr. Ajay Mukher-
jee, learned counsel for the petitioner are that admittedly the



victim's marriage was solemnized 10 years ago with this petitioner so the allegation of dowry demand of Rs. 2,00,000/- made in the FIR is completely unbelievable, three daughters have born out from the conjugal relationship with this petitioner and after the alleged occurrence the statements of said daughters have not been recorded by the investigating officer and during the course of investigation two different stories surfaced and according to one story a sum of Rs. 40,00,000/- was sanctioned in the name of deceased but later on the bank account of deceased was examined by the investigating officer but no such amount was found having been sanctioned in the name of deceased. So the said story was found to be false and further a new story came into light which revealed that the petitioner was having illicit relationship with another woman but the statement of said woman was not recorded by the investigating officer. Further submission is that at the time of alleged occurrence the petitioner was not present at his house.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR and case diary. The present case relates to murder of the wife of the petitioner. Admittedly, the dead body of the deceased was found in the house of this petitioner and the deceased had injuries at vital



part of her body and as per inquest report she was murdered by using sharp edged weapon. From the perusal of the case diary I find no credible materials to substantiate the petitioner’s defence as to he was not present at his house at the time of allged occurrence of murder. Considering these facts, in the opinion of this Court it is not a fit case for grant of bail to the petitioner. Accordingly his prayer for bail stands rejected.

The trial Court is directed to expedite the trial of the Petitioner and conclude the same at the earliest preferably in nine months, if the trial is not concluded within the stipulated period then the petitioner may renew his bail prayer.

(Shailendra Singh, J)

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