

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11270 of 2022**

Arising Out of PS. Case No.-204 Year-2021 Thana- JAMALPUR District- Munger

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Kishan Kumar @ Bauna Son of Late Lakshmi Tanti Resident of Village -
Chhoti Keshopur, P.s.- Jamalpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

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

3 06-12-2022 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 Jamalpur
P.S. Case No. 204 of 2021 registered for the offence under
Section 304B of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.10.2021.

The allegation against the petitioner is to cause death
of daughter of the informant, along with co-accused
persons/family members, due to non fulfillment of demand of
dowry, as raised for cash of Rs. 1,00,000/- (Rupees One Lakh)
and one motorcycle.



Learned counsel appearing on behalf of the petitioner submitted that petitioner died suddenly due to stomach ache. It is submitted that during post-mortem, no external injuries were noticed, which negate the allegation, as alleged that victim was subjected to physical assault, during the occurrence. It is further submitted that cause of death is yet to be ascertained, as per post-mortem report. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that occurrence took place in the house of the petitioner, who is the husband. It is submitted that petitioner failed to explain the cause of death of the deceased/wife, as plea of stomach ache is not supported by any medical prescription, which is appearing nothing but an after thought plea.

In view of the facts and circumstances as mentioned above, as petitioner who is the husband of the deceased appears to be failed to explain the cause of death, whereas occurrence took place in his house, this Court is not inclined to grant privilege of bail to the petitioner, at present.

Accordingly, the prayer for bail of the petitioner is



rejected herewith.

The learned Trial Court is directed to conclude the trial, preferably, within a period of 06 (six) months from the date of receipt of this order, by taking this matter on board, on day-to-day basis, if required.

The Superintendent of Police, Munger, is directed to produce the charge-sheeted witnesses, as and when directed by the learned Trial Court, so as to conclude the trial within aforesaid time period, as directed above.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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