

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15672 of 2022

Arising Out of PS. Case No.-100 Year-2020 Thana- GUTHANI District- Siwan

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ALOK KUMAR @ CHANDAN KUMAR SON OF UMESH TIWARI
RESIDENT OF VILLAGE- DARAILA, P.S- GUTHANI, DIST- SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 22-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner has preferred this application for grant of regular bail in a case registered u/s 304B read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner and co-accused persons are alleged to have tortured and caused death of the informant's daughter due to non-fulfillment of demand of dowry, who was married to the petitioner as per hindu rites and custom.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. Charge has been framed against the petitioner. The petitioner neither demanded dowry nor tortured the deceased and the petitioner is in custody since 31.07.2020. There is no specific allegation against the petitioner.

Learned A.P.P. for the State has vehemently opposed the prayer of bail of the petitioner by submitting that the petitioner is the husband of the deceased who along with other co-accused persons had committed the murder of the informant's daughter due to non-fulfillment of demand of dowry.

Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner who is the husband of the deceased, I am not inclined to enlarge the petitioner on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within nine months. However, the petitioner is at liberty to renew his prayer for bail if the trial is not concluded within nine months.

This application is rejected.

(Chandra Prakash Singh, J)

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