

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25094 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- KAHALGAON District- Bhagalpur

ROHIT HARIJAN S/o Kailash Harijan Resident of Village- Sadanandpur
Baisa, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vaishnavi Singh Mr. Ajay Kumar Thakur Mr. Ritwik Thakur
For the Opposite Party/s :		Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 18-10-2022 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 of the Indian Penal Code.

As per the prosecution case, the petitioner is alleged to have strangled the victim Khusbu Devi to death. Previously, the petitioner had abducted Khusbu Devi and married her. After marriage, the petitioner used to assault the victim due to non-fulfillment of demand of dowry.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. There is no eye-witness in this case. The petitioner is already married to Soni Kumari. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 03.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that Khusbu Devi was married to the petitioner and in the post-mortem report the doctor has opined that the cause of death is Asphyxia and shock due to ante-mortem throttling. No in-laws have been made an accused in this case and there is specific allegation against the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge this petitioner above-named on bail.

Learned trial Court is directed to expedite the trial and conclude the same preferably within 9 months.

The bail petition stands rejected.

(Chandra Prakash Singh, J)

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