

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33790 of 2022**

Arising Out of PS. Case No.-142 Year-2018 Thana- DULHIN BAZAR District- Patna

Raj Kumar Sao Son of Late Bal Kishun Sao Resident of Village - kadirganj,
P.S.- Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kr Singh No.1, Advocate Mr. Ram Naresh Singh Dinkar, Advocate
For the Opposite Party/s	:	Mr. A.G.
For the Informant	:	Mr. Nand Kumar, Advocate

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

3 21-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel 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 Dulhin
Bazar P.S. Case No. 142 of 2018 registered for the offence
under Sections 302, 201 and 34 of the Indian Penal Code and
under Sections 3 and 4 of the Dowry Prohibition Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.12.2018.

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



demand of dowry as raised for a golden chain. It is further alleged that the half burnt dead body of daughter of the informant was found thrown to a near-by well.

Learned counsel appearing on behalf of the petitioner submitted that the father of the victim, who is the informant of this case did not support allegations during the trial before learned Trial Court. It is also pointed out that the allegation of assault is very much general and omnibus and not specific against this petitioner. It is further submitted that alleged burn injury was received due to accident, while victim was cooking. It is also pointed out that no external injuries were noticed, as per post-mortem report, suggesting thereof that deceased was not subjected to physical assault soon before the occurrence. While concluding the argument, it has been submitted that investigation has been completed, 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 burn injury is anti-mortem in nature, as per post-mortem report. As per report of learned Trial Court, it appears that all private witnesses including the informant, out of total 7 witnesses named in the charge-sheet have already been



examined, where only 2 official witnesses, doctor and I.O. of this case, are remain to be examined.

Considering the facts and circumstances as mentioned above, as trial is at its fag end, this Court is not inclined to grant bail to the petitioner, at present.

Accordingly, prayer of bail of the petitioner is rejected herewith.

Learned Trial Court is directed to proceed with the matter, by taking it on board, on daily basis, so as trial may conclude within three months from the date of receipt of copy of this order.

S.S.P., Patna is directed to ensure the presence of doctor and I.O. of this case positively within one month from the receiving of the copy of this order of this Court.

Let a copy of this order be communicated to S.S.P., Patna for its immediate compliance.

(Chandra Shekhar Jha, J)

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