

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45119 of 2021**

Arising Out of PS. Case No.-92 Year-2020 Thana- PAKRIDAYAL District- East Champaran

AWADHESH PRASAD S/o BHOLA PRASAD R/o VILLAGE - MAJHAR,
P.S. - PAKRIDAYAL, DISTRICT - EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Mishra, Advocate
For the Informant	:	Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 28-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B) and 201/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 07.06.2020, is a person with clean
antecedent and charges have been framed and trial has
commenced.

Learned counsel for the petitioner submits that the
informant alleges that his daughter was married to the petitioner
in the year 2019 and the accused persons including the



petitioner were demanding dowry of Rs.2,00,000/- and on non-fulfillment of the same, the deceased was tortured. Further, on 02.05.2020, the villagers of village Majhar informed the informant that the deceased has been assaulted. Further, on 03.05.2020, the dead body of the deceased was recovered from a pond, accordingly, the informant alleged that 10 named accused persons including the petitioner killed the daughter and threw the dead body.

Learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the FIR, it would manifest that the dead body of the daughter of the informant was recovered from a pond and not from the house. Learned counsel further submits that petitioner being the husband of the deceased has falsely been implicated in the present case.

Learned counsel for the informant and learned A.P.P. for the State vehemently opposed the prayer for regular bail of the petitioner and submits that trial has commenced and one prosecution witness has been examined.

In view of the submissions made by the learned counsel for the informant, the Court for the present is not inclined to grant bail to the petitioner in connection with Pakridayal P.S. Case No. 92 of 2020 pending in the Court of



learned Chief Judicial Magistrate, Motihari/successor Court.

However, the learned Court below is directed to expedite the trial of the case and conclude the same preferably within a period of nine months from the date of receipt/production of a copy of this order.

The Superintendent of Police, East Champaran is directed to ensure the production of the official witnesses including the prosecution witnesses as and when required by the learned Court below so that the trial may not hamper.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran forthwith.

(Satyavrat Verma, J)

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