

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45635 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- KARJA District- Muzaffarpur

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Vinod Ram S/O Late Laldev Ram R/o village- Amakishunpur, P.S.- Karja,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 28-06-2022 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 Karja P.S.
Case No. 47 of 2020 registered for the offence under Sections
304(B), 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.01.2021.

The allegation against the petitioner is to cause death
of his wife, who is the daughter of the informant for non-
fulfillment of dowry demand of Rs.1 Lakh in cash alongwith
one motorcycle.

Learned counsel appearing on behalf of the petitioner



submitted that the allegation, as regard to demand of dowry is false and in fact, the deceased committed suicide out of her own frustration for the reason that she had no child, even after seven years of marriage. It has further been submitted that during the course of investigation, the chargesheet has been submitted under Section 302 of the Indian Penal Code. It has further been submitted that informant is not the eye witness of the occurrence and the dead body was recovered from outside of the house of the petitioner and moreover, chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail submitted that the petitioner is the husband of the deceased and failed to convince, *prima facie*, that occurrence is of suicide. It has further been submitted that the cause of death is asphyxia due to anti mortem drowning and also multiple injuries were found upon the body of the deceased, which suggest that after brutal assault, she was thrown in the nearby pond, where ultimately died due to drowning. It has further been submitted that dead body of the deceased was found in her matrimonial home.

Considering the facts and circumstances as mentioned



above, as the petitioner is husband of the deceased, where the occurrence took place in the house of the petitioner, suggesting unnatural death, which has been supported by post mortem report, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected herewith, with the liberty to the petitioner to renew this prayer of bail after nine months, if trial is not concluded.

In the meanwhile, Trial Court is directed to expedite the trial in accordance with law.

Superintendent of Police, Muzaffarpur is directed to ensure the presence of chargesheeted witnesses as and when required before the Trial Court for expeditious disposal of the trial.

(Chandra Shekhar Jha, J)

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