

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41892 of 2022

Arising Out of PS. Case No.-9 Year-2020 Thana- GOPALPUR District- Bhagalpur

Neeraj Kuamr @ Neeraj Sharma S/o Prakash Sharma R/o village-
Bhawanipur, P.S.- Gopalpur, Distt.- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks regular bail in connection with

Gopalpur (Rangra) P.S. Case no. 09 of 2020 registered for the

offences punishable under Sections 304(B), 201, 120(B) and 34

of the Indian Penal Code.

As per the prosecution, the informant's sister (now

deceased) Kiran Devi who was married to this petitioner in the

year 2017 was tortured physically and strangled to death by

this petitioner along with his family members. Further it is

alleged that the victim was murdered on account of non-



fulfillment of the dowry demand.

The main submissions advanced by learned counsel Mr. Swapnil Kumar Singh appearing for the petitioner are that at the time of alleged occurrence the petitioner was not present in his village rather he was in Delhi at that time and after the recovery of the dead body of the deceased the police sent the body of the deceased to the medical college for Post-Mortem examination but the informant and her family members forcibly took away the dead body without Post-Mortem examination and cremated it and other family members of the petitioner who have been made accused in the FIR have been granted anticipatory bail by a co-ordinate Bench of this Court.

Learned APP Mr. Binod Kumar No.3 appearing for the State has opposed the prayer for bail.

Heard both the sides and perused the FIR of the instant case. The informant's sister died unnatural death within four years of her marriage and as per the order of the Court below the dead body of the deceased was found in a Maize field in the village of her Sasural and the body was in decomposed position at the time of recovery. As per the FIR the deceased was always subjected to torture for the demand of motorcycle and Rs. 1,50,000/- by the accused persons including the



petitioner who is the husband of the deceased. Considering the nature of allegation and mainly taking into account the unnatural death of the deceased within four years of her marriage as well as the allegation of dowry demand made in the FIR against the petitioner, in the opinion of this Court, petitioner does not deserve to the privilege of bail and accordingly, his prayer for bail stands rejected.

The trial court is directed to expedite the trial of the petitioner if the same has commenced and take steps to conclude the same in the next one year. If the trial of the petitioner is not concluded in the said period or no significant progress is made in his case by the court concerned in respect of his trial then the petitioner may renew his prayer for bail.

(Shailendra Singh, J.)

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