

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54412 of 2021

Arising Out of PS. Case No.-162 Year-2020 Thana- BANIAPUR District- Saran

PAWAN KUMAR MISHRA SON OF LATE MAHANAND MISHRA
RESIDENT OF VILLAGE- DHANAW, P.S- BANIAPUR, DIST- SARAN
(CHAPRA)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the sister of the informant was married to the petitioner in the year 2014. It is stated by the informant that soon after the marriage the accused persons started to torture the informant's sister for demand of dowry by way of a motorcycle etc. On 10.6.2020, the informant received information about his sister having been done to death by the accused persons including the petitioner herein who happens to be her husband.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case only for the reason that he happens to be the husband of the deceased. As a result of trivial differences between the husband and wife, the sister of the informant hung herself. The petitioner is in custody since 12.6.2020 and the prosecution witnesses who have been examined do not support the prosecution case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. together with the report received from the learned trial court contained in letter dated 16.4.2022 of the learned Additional District and Sessions Judge VII, Saran, according to which five out of the six chargesheet witnesses have been examined, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to conclude the trial within three months of communication of this order.

(Partha Sarthy, J)

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