

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64155 of 2021**

Arising Out of PS. Case No.-152 Year-2020 Thana- KIUL District- Lakhisarai

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Mukesh Kumar @ Mukesh Ram S/o Bikram Ram R/o village- Banu Bagicha,
P.S.- Kiul, District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kiul P.S. Case No. 152 of 2020 lodged under Sections 304B/34
of the I.P.C.

As per the prosecution case, the allegation of 304(B)
of I.P.C. against the petitioner who is husband of the deceased.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned
counsel submits that sufficient material has come in the F.I.R
that the alleged death has caused due to hanging. There is
general and omnibus allegation. Learned counsel further

submits that petitioner's antecedent is clean and he is in custody since 05.01.2021 and charge sheet has already been filed as well as charge has been framed in this case.

Learned counsel for the State opposes the prayer for bail and submits that there is evidence of hanging there.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner is the husband itself and case of Section 304(B) of I.P.C. and onus lies upon the husband itself. The said occurrence took place just within 3 years from the date of marriage.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail 9 months after framing of charge. The Trial Court is directed to expedite the trial as early as possible.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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