

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55045 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- BALIYA District- Begusarai

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Jata Shankar Singh Son of Late Dahu Singh @ Dalo Singh R/V- Pansalva,
P.S- Beldaur, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect, 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
Baliya P.S. Case No. 339 of 2021 lodged under Sections 341,
498A, 307, 302/34 of the I.P.C. read with Section 3/4 of the
Dowry Prohibition Act.

As per the prosecution case, the marriage of the
informant's daughter has solemnized with the petitioner in the
year 2009. It has been alleged that due to demand of dowry, the
settlement could not take place, then the informant anyhow
returned back with her daughter at his house. It has been alleged
that at the *Sasural* her in-laws family have make attempt to kill
her by pouring kerosene oil. It has been alleged that the

informant's daughter started residing at her *Naiher* but on 10.10.2021, the petitioner along with 2 unknown persons come to his Sasural and call her daughter in a nearby house where animals used to reside. An allegation to kill her by strangulating her with the help of Saree and hang her body in the rod of the hut is there in FIR against petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that the death of the deceased took place at the house of the informant itself. Learned counsel submits that the allegation of demand of dowry or pouring kerosene oil are absolutely false. He submits that petitioner is in custody since 23.7.2022. His antecedent is clean but unfortunately, he is the husband.

Upon specific query whether charge has been framed or not, counsel submits that as per his knowledge charge has not been framed.

Learned counsel for the State opposes the prayer for bail.

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, his bail application is hereby rejected but liberty is hereby granted to the petitioner that he may renew

his prayer for bail 2 month after framing of charge and the trial court thereafter is directed to release him on bail imposing his own conditions so that he may not evade his appearance during his trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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