

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67708 of 2021**

Arising Out of PS. Case No.-337 Year-2021 Thana- SIMRI District- Buxar

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Santosh Rajbhar @ Dinesh Rai S/O Lalan Rajbhar @ Lalan Rai R/o village-
Parmanpur, P.S.- Simri, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 06-07-2022 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 Simri P.S.
Case No. 337 of 2021 registered for the offence under Sections
304 (B) and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.10.2021.

The allegation against the petitioners is to cause death
of the informant due to non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner
submitted that the allegation against the petitioner as regard to
demand of dowry is very much general and omnibus. It has



further been submitted that petitioner is a man of clean antecedent and is caring husband. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by the learned counsel of the informant, while opposing the prayer of bail submitted that as per F.I.R. deceased was living with the petitioner/husband. It has been further submitted that cause of death and also injuries found upon the body of deceased as per the post-mortem report support allegation as regard to manner of assault. It has further been submitted that occurrence took place in the house of the petitioner.

In view of the facts and circumstances as mentioned above, as the deceased was living with petitioner at the time of occurrence coupled with nature of injuries as found upon the body of deceased, I am not inclined to grant privilege of bail to the petitioner.

Accordingly, the prayer of bail of the petitioner is rejected, herewith, with liberty to the petitioner to renew his prayer for bail after 09 (nine) months, if the trial is not



concluded, within the stipulated period of time.

The Superintendent of Police, Buxar, is directed to produce the charge-sheeted witnesses, as and when required by the trial court for expeditious disposal of the trial.

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S.Sen/-

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