

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68633 of 2021

Arising Out of PS. Case No.-346 Year-2016 Thana- GARKHA District- Saran

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ARJUN SAH Son of Satrohan Sah Resident of Village - Mubarakpur, P.S. -
Garkha, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-07-2022 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 Garkha
P.S. Case No. 346 of 2016 registered for the offence under
Sections 304(b), 201 and 34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 21.10.2020.

The allegation against the petitioner, who is husband
of the deceased, is to cause death of daughter of the informant
along with other co-accused persons.

Learned counsel appearing on behalf of the petitioner
submitted that nothing appearing from bare perusal of FIR that



soon before the occurrence, there was any demand of dowry. It has further been submitted that this is a case of suicide, where all family members including the informant participated in last rites. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, in this matter, in furtherance of charge-sheet, charge has been framed against the petitioner.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that demand of dowry was continuous and as such it cannot be said that dowry demand was seized, soon before the occurrence. It is submitted that occurrence took place in the house of the petitioner, having all presumption against him. It has also been submitted that investigation suggests several incriminating material, including smell of kerosene oil, suggesting thereof as death of the deceased was not natural.

In view of the facts and circumstances as mentioned above, as occurrence took place in the house of the petitioner, who is the husband of the deceased, suggesting unnatural death, in the background of demand of dowry, this Court not inclined to grant privilege of bail to the petitioner.

Accordingly, the prayer of bail of the petitioner is rejected.



The trial court is directed to conclude the trial of this case, at the earliest.

The Superintendent of Police, Saran, is directed to produce the charge-sheeted witnesses, as and when directed by the trial court, to conclude the trial expeditiously.

(Chandra Shekhar Jha, J)

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