

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1060 of 2022

Arising Out of PS. Case No.-484 Year-2018 Thana- DHANARUA District- Patna

RAUSHAN KUMAR Son of Dhaneshwar Paswan Resident of Village-
Deokali, P.S.- Deokali, P.S.- Dhanarua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhinay Raj

For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 31-08-2022 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.

This is second bail petition.

The petitioner seeks bail in connection with Dhanarua
P.S. Case No. 484 of 2018 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 30.09.2019.

The allegation against the petitioner, who is husband
of the deceased, is to cause death of his wife along with other
family members, due to non-fulfillment of demand of dowry.



Learned counsel appearing on behalf of the petitioner submitted that, present petition is second attempt, as bail of this petitioner has already been rejected by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 13420 of 2020 dated 02.09.2020, where, absolutely no progress in trial in last 3 years. It is also submitted that petitioner was not present at the time of occurrence as he was on run, in connection with kidnapping case of minor girl of his relative. It is also submitted that this is a case of suicide by consuming poison, out of family frustration. It is also submitted that allegation of demand of dowry is very much general and omnibus against this petitioner. While concluding the argument, it has been submitted that investigation of this case has been completed long back.

Learned APP, while opposing the prayer of bail, submitted that it is a case of physical assault, as 04 injuries found upon leg of the deceased, as per postmortem report. It is also submitted that the conduct of the petitioner is also suspicious for the reason that he found involved in one kidnapping case of one minor girl, just after three months of his marriage.

In view of the submissions, as made above, as postmortem report suggest physical assault soon before the



death, in the background of demand of dowry coupled with the fact that earlier bail was rejected by one of learned co-ordinate Bench of this Court on merit, this Court is not inclined to grant bail to the petitioner, at present.

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

Trial Court is directed to proceed with the matter, by taking it on board, on daily basis, so as trial may conclude within 06 (six) months from the date of receipt of a copy of this order. Petitioner may renew prayer of bail, if so advised, if trial is not concluded within aforesaid period.

S.S.P., Patna is directed to produced the charge-sheeted witnesses, as and when directed by the Trial Court, for expeditious disposal of trial, within specified time, as directed above.

(Chandra Shekhar Jha, J)

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