

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10450 of 2023

Arising Out of PS. Case No.-521 Year-2022 Thana- SARAIYA District- Muzaffarpur

Rakesh Dwivedi S/O Mahesh Dwivedi Resident Of Village- Datapur, P.S.-
Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 07-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 304(B)/34 of the Indian Penal Code.

The accusation is of killing the daughter of the
informant by her in-laws family members including the
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner works in the
Axis Bank and at the time and date of occurrence, he



was at Axis Bank and immediately after receiving burn injuries, the victim was taken to the hospital and the informant was informed about the incidence. During investigation also, the police found that on the alleged date and time of occurrence, the petitioner was at not present. The petitioner is languishing in custody since 20.07.2022.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased. The death of the deceased was due to burn injury which is an abnormal circumstance. The deceased died within seven years of marriage. The postmortem report and the independent witnesses have also supported the case of the prosecution.

Considering the fact that petitioner is husband of the deceased and the death occurred within seven



years of the marriage, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

