

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10868 of 2023**

Arising Out of PS. Case No.-42 Year-2022 Thana- BISHUNPUR District- Darbhanga

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RUPESH KAMTI Son of Kameshwar Kamti R/o Mohalla/Vill- Rampur Dih,
P.S.- Bishanpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 20-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Bishanpur P.S. Case No. 42 of 2022 registered for the offence

under Sections 304(B)/34 of the Indian Penal Code.

The daughter of the informant is subjected to

assault and torture on account of non-fulfillment of demand

of dowry by the petitioner and others and she has finally

been done to death for want of dowry.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case. He

further submits that the allegation, as alleged in the F.I.R., is



false and fabricated and the petitioner has not committed any offence. He further submits that there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him nor the petitioner has demanded any dowry in any manner ever. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.08.2022.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that it has come during the investigation that the petitioner was involved in the present occurrence and the postmortem report also support the allegation as alleged in the F.I.R. and according to the trial court report, out of seven charge-sheet witnesses, two have been examined and rest would be examined within six months.

Considering the facts and circumstances of the case and the rival submission of the parties and the present stage of the trial and expected time for conclusion of trial, according to the trial court report, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly,



the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite
the trial and try to conclude it at the earliest.

(Rajesh Kumar Verma, J)

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