

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15374 of 2022

Arising Out of PS. Case No.-96 Year-2020 Thana- SURYAPURA District- Rohtas

AKSHAY LAL PASI @ ACHCHE LAL PASI S/o Gopal Pasi R/o village-
Nonhar, P.S.- Suryapura, District- Rohtas Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambuj Kumar Chandra, Advocate
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who was married to the petitioner herein was abused, assaulted and tortured by the accused persons for non-fulfillment of demand of dowry. It is stated that she was done to death by pouring kerosene oil and her body disposed off with the intention of destroying evidence.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only on account of his being the husband of the deceased. Admittedly the informant is not an eye-witness to the occurrence and the manner



of occurrence is other than what has been narrated in the FIR. The burning took place as a result of accident. From the material that has transpired in course of investigation especially in paragraph nos. 9, 10 and 12 it would transpire that the informant is not an eye-witness. The petitioner is in custody since 26.6.2021 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR and the petitioner being the husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

However, in the facts of the case especially the material that has transpired in course of investigation, the learned trial Court is directed to conclude the trial within a period of six months from the date of communication of this order and in case the trial is not concluded for no fault on part of the petitioner, liberty is granted to the petitioner to renew his prayer for bail in the learned Court below itself.

(Partha Sarthy, J)

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