

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19449 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- MOKAMAH District- Patna

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Sohan Rai S/o Late Balgovind Rai R/o Village- Mekra, P.S.- Mokama,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar

For the Opposite Party/s : Mr. Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 01-02-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Mokama P.S. Case No.300 of 2021, registered for the

offences punishable under Sections 304(B)/34 of the Indian

Penal Code.

The prosecution case as emerges from the FIR is

that the alleged victim, Jhumo Devi was married to the

petitioner, Sohan Rai six years ago and within seven years of

her marriage she has committed suicide on account of

torturing and her dead body was cremated before the

informant reaches the house of the accused persons.



Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner works at Haryana and he has no role in torturing or killing the victim. He also submits that the victim was mentally disturbed. He also submits that investigation in this case is complete and charge-sheet has already been submitted and even charge has been framed.

He further submits that the petitioner has been languishing in jail since 25.10.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature and the alleged facts and circumstances clearly constitutes offence punishable under Section 304(B) and the Trial is going on.

Considering the aforesaid facts and circumstances,



particularly, the nature of the allegation and material on record, I am not persuaded to enlarge the petitioner on bail at this stage.

The petition is dismissed accordingly.

However, Ld. Trial Court is directed to expedite the Trial and in case the Trial is not concluded within 6 (Six) months the petitioner will have liberty to renew his prayer for bail.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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