

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32623 of 2023

Arising Out of PS. Case No.-212 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

PRABHUNARAYAN SINGH @ PRABHU NARAYAN SINGH SON OF
RADHESHYAM SINGH R/O Village Karma, P.S. Kudara, District Kaimur at
Bhabhua

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 21-09-2023 Heard learned counsel for the petitioner and A.P.P.
for the State.

The petitioner seeks bail in connection with
Session Case No. 455 of 2022 arising out of Kudra P.S. Case
No. 212 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 according to the F.I.R, the petitioner along with other accused persons have committed murder of the daughter of the informant. He further submits that there is no eye witness to the alleged occurrence and merely on the basis of suspicion and his being the husband of the deceased, he has been dragged in this case. He further submits that as a matter of fact, the deceased has herself committed suicide. 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 24.08.2022.

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 course of investigation that the petitioner along with other accused persons have committed murder of the daughter of the informant and the postmortem report also supported the allegation as alleged in the F.I.R. against the petitioner.

A report with regard to present stage of the trial



has been called for by this Court vide order dated 27.07.2023 which has been received and forms part of this application at Flag-R. On perusal thereof, it would reveal that the out of seven charge-sheet witnesses, two witnesses have already been examined.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future.

Considering the facts and circumstances of the case and taking note of the report of the court below showing the progress in the trial, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner rejected.

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

(Rajesh Kumar Verma, J)

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