

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39983 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- KONCH District- Gaya

CHAMCHAM KUMAR @ CHANDAN KUMAR @ CHAMCHAN
KUMAR S/O KAMLESH YADAV @ KAMLESH PRABHAKAR Resident
of Village- Usash Deora, P.S.- Konch, District- Gaya. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Y.C. Verma, Sr. Adv. Mr. Shailesh Kumar, Adv.
For the Opposite Party/s :		Mr.Navin Kumar Pandey
For the informant		Mr. Manish Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted
for the offence under Section 304(B), 201/34 of the Indian Penal
Code.

As per allegation in the FIR, petitioner along with his
family members have tortured in various ways due to non-
fulfillment dowry demand and ultimately they killed her and her
body was cremated with a view to wipe off the evidence.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Petitioner
has made victim of circumstances as he is husband of the
deceased. There is no eye witness of the case and the whole case
is based on concocted story. Information regarding death of
deceased was given to her family members by the petitionr but



still they did not participate in funeral. Parents-in-law of the deceased have already been granted bail by another Bench vide order dated 8.3.2022 passed in Cr. Misc. No. 47099 of 2021 and vide order dated 21.12.2021 in Cr. Misc. No. 47607 of 2021. Petitioner is languishing in judicial custody since 13.09.2021.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. They submitted that petitioner is husband of the deceased and there is direct allegation against him. During investigation, several witnesses have supported the prosecution case in para nos. 4 5, 6, 7 of the case diary, which is also mentioned in the impugned order.

Having heard the learned counsel for the parties and considering the fact that petitioner is husband of the deceased and dowry death is a heinous crime, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial as early as possible.

(Sunil Kumar Panwar, J)

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