

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42907 of 2023

Arising Out of PS. Case No.-402 Year-2022 Thana- UDWANTNAGAR District- Bhojpur

PRAMOD RAM @ PRAMOD KUMAR RAM son of Arjun Ram @ Arjun
Kumar Ram Village- Masadh Masarh Ps- Udwant Nagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 06-09-2023 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with
Udwant Nagar (Gajrajganj O.P.) P.S. Case No. 402 of 2022,
registered for the offences punishable under Sections 304(B)
and 34 of the Indian Penal Code.

3. The prosecution case as emerges from the F.I.R. is
that the marriage of the informant's daughter, namely, Sarita
Devi was solemnized with Pramod Ram according to Hindu
rites and customs about One year ago. After some times, the
husband and his family members started torturing her for non-
fulfillment of illegal demand of dowry, and ultimately they
killed her.

4. Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the daughter of the informant was not satisfied with the marriage and she has committed suicide.

5. He further submits that the petitioner has been languishing in jail since 10.09.2022.

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

7. 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.

8. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that even if it is presumed that the victim has committed suicide, it is within seven years of marriage because the marriage was solemnized in May, 2022 and as such dowry death under Section 304(B) is made out and as per the medical report she has died due to asphyxia.

9. In view of the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on bail at this stage.

10. The petition is dismissed accordingly.

11. However, as per the information furnished by Ld. counsel for the petitioner, two prosecution witnesses have



already been examined.

12. Hence Ld. Trial Court is directed to expedite the trial and in case trial is not concluded within nine months, the petitioner will be at liberty to renew his prayer for bail.

13. 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)

chandan/-

U		T	
---	--	---	--

