

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 44697 of 2023

Arising Out of PS. Case No.-203 Year-2020 Thana- RAJAPAKAR District- Vaishali

Vijay Kumar @ Vijay Rai S/O Bindeshwar Rai R/O Village- Rajapakar
Chauripar, P.S.- Rajapakar, Dist. Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-09-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Rajapakar P.S. Case No. 203 of 2020 dated 29.08.2020, lodged
under Section 304(B)/ 34 of the I.P.C.

4. As per the prosecution case, the F.I.R. has been
lodged by the informant that the marriage of the informant's
sister was solemnized with the petitioner. After marriage, the
accused persons started demanding motorcycle and gold chain
and later on all accused persons in connivance with each other
killed the informant and eloped her dead body.

5. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. Counsel submits that it is true that the case has been lodged under Section 304(B)/ 34 of the I.P.C. but upon investigation, charge-sheet has been filed under Section 306 of the I.P.C. and police has found this case true not of the dowry death rather of an offence took place due to suicide.

6. Learned counsel for the petitioner further submits that cognizance has also been taken under Section 306 of the I.P.C.

7. Learned counsel for the State opposes the prayer for bail.

8. Upon specific query of the Court that whether charge has been framed in this case or not, counsel for the petitioner submits that as per his knowledge, charge has not been framed, though the case has been directed to be committed during pendency of the present criminal miscellaneous case.

9. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and, therefore, his bail petition is hereby rejected.

10. Liberty is hereby granted to the petitioner that he may renew his prayer for bail two months after framing of

charge and the Trial Court is directed to release him on bail thereafter imposing its own conditions so that he may not evade his appearance during trial.

11. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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