

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43640 of 2022

Arising Out of PS. Case No.-68 Year-2019 Thana- JAMALPUR District- Darbhanga

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Ram Chandra Yadav, Son Of Sone Lal Yadav, R/O Village- Laxminiya, P.S.-
Jamalpur, District- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar- Advocate

For the State : Mr. Chandra Bhushan Prasad- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in a case registered for

the offences punishable under Sections 304(B), 201/ 34 of

the Indian Penal Code.

The learned counsel for the petitioner submits that

the petitioner is a person with clean antecedent and is in

custody since 22.03.2021. The petitioner is the husband of

the deceased and the marriage was only an year old.

It is next submitted that though in the F.I.R., it is

alleged that dowry was being demanded, but then, the

allegation of demand is general and omnibus in nature. It is



also submitted that the deceased was pregnant and thus, had gone to her parental home where she died on account of complications arising out of pregnancy.

It is next submitted that the F.I.R. has been instituted by a relative of the deceased and not by her parents or brothers, which creates doubt with regard to the veracity of the allegation as alleged in the F.I.R.

On query of the Court with regard to the stage of the trial, the learned counsel for the petitioner very fairly submitted that out of eight witnesses, three witnesses have been examined and thus, five witnesses still remain to be examined.

Learned A.P.P. opposes the bail application and submits that since the trial has commenced and petitioner, being the husband, for the present, the presumption is against him though the same is rebuttable.

Considering the submission made by the learned Additional P. P., the Court is not inclined to release the petitioner on bail.

Accordingly, his prayer for bail stands rejected.



However, in the event, if the trial is not concluded within a period of nine months from the date of receipt/production of a copy of this order, the petitioner would be at liberty to renew his prayer for bail before the learned trial Court itself.

(Satyavrat Verma, J)

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