

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43694 of 2023

Arising Out of PS. Case No.-879 Year-2022 Thana- MAJHAULIA District- West Champaran

Keshvlal Sah Son Of Late Baidhnath Shah @ Late Baijnath Mahto Resident
Of Village- Jaukatiya Ps- Majhauiliya, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Majhauiliya P.S. Case No. 879 of 2022 instituted for the offence
under Sections 304(B), 201(b)/34 and added section 302 of the
Indian Penal Code.

As per allegation in the FIR, the informant alleged that
his sister was married with the petitioner in year of 2020 and
thereafter, the petitioner along with his family members
subjected her to cruelty due to non-fulfillment of dowry demand.
Ultimately, on 9.11.2022 the informant came to that his sister
was committed murder by the petitioner along with his family
members. Thereafter, the present FIR has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner is



husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint against the petitioner regarding demand of dowry or torture to the informant's sister/deceased. The petitioner has got no criminal antecedent and languishing in judicial custody since 17.2.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the death of the informant's daughter was caused within seven year of her marriage. The petitioner is husband of the deceased upon whom the full responsibility to keep his wife well. Postmortem report annexed with the case diary, shows that cause of death is due to asphyxia as a result of strangulation. It is further submitted the witnesses of this case have also supported the prosecution.

Having heard the learned counsel for the parties and considering the nature of allegation, 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 the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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