

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51335 of 2022

Arising Out of PS. Case No.-195 Year-2020 Thana- CHARPOKHARI District- Bhojpur

Dhiraj Sah S/o Suresh Sah @ Digri Sah Resident of Village- Kaiyal, P.S.-
Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 304(B), 201/34 of the Indian
Penal Code.

According to prosecution case, the petitioner along
with other accused persons killed the daughter of the informant
due to non-fulfillment of demand of dowry and also cremated
her dead body.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioner and there is no specific allegation of any assault or overt act against the petitioner. He further submits that the petitioner is the husband of the deceased and he has not committed any offence as alleged in the F.I.R. The petitioner is in custody since 03.12.2020.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has killed his wife by pressing her neck and the petitioner and his family members also cremated the dead body of the deceased without informing the family members of the deceased.

Vide order dated 03.02.2023 a report was called with regard to the present stage of trial. Report dated 09.02.2023 reveals that the charge has been framed under Section 304-B/34, 498-A/34 and 201/34 of the Indian Penal Code against the petitioner on 16.07.2021 and bailable warrants issued against all non-official prosecution witnesses.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 140 of 2021 arising out of Charpokhari P.S. Case No. 195 of



2020 pending in the court of learned Additional Sessions Judge-
XIII, Bhojpur, Ara.

Prayer is refused.

However, the learned Trial Court is directed to
expedite the trial.

(Rajesh Kumar Verma, J)

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