

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55243 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SIKTA District- West Champaran

1. Raj Kumar Sah Son Of Kari Sah Resident Of Village- Sikta Tola, Ps- Sikta, Distt- West Champaran
2. Himanti Devi Wife Of Kari Sah Resident Of Village- Sikta Tola, Ps- Sikta, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Earlier vide order dated 30.08.2023., the petitioner No.2, namely, Himanti Devi has already been granted bail by this Court and the case diary was called for in respect of petitioner No.1, namely, Raj Kumar Sah.

Today, learned counsel pressed this application for bail on behalf of the petitioner No.1, namely, Raj Kumar Sah.

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner No.1 has prayed for bail in connection with Sikta P.S. Case No. 47 of 2023 instituted for the offence under Sections 304(B) and 34 of the Indian Penal Code.

It is case of dowry death due to non-fulfillment of



dowry demand.

It is submitted by learned counsel for the petitioner No.1 that petitioner No.1 has been falsely implicated in this present case. It is further submitted that there is no prior complain in respect of torture and dowry demand. A statement has been made in para-3 of this petition that the petitioner No.1 has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.04.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that vide para- 42 and 123 of the case diary, witnesses supported the prosecution case and stated that the petitioner No.1 being the husband of the deceased used to harass and assault the deceased earlier from the occurrence and postmortem report also corroborated with the prosecution version as the doctor opined that the cause of death is due to asphyxia as a result of pressure on neck.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner No.1, namely, Raj Kumar Sah 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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