

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57993 of 2022

Arising Out of PS. Case No.-378 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Rupesh Kumar @ Rupesh Rai @ Rupesh Kumar Yadav Son Of Radha Mohan
Rai R/O Village- Gidhouna, P.S.- Ghorasahan, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
12.05.2022, in connection with Ghorasahan P.S. Case No. 378
of 2020, F.I.R. dated 22.09.2020 registered for the offences
punishable under Sections 304(B), 201, 34 of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture and caused death of the victim due to non-fulfillment of
demand of dowry.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the ground that the
petitioner is husband of the deceased. 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 attributed against the petitioner.

Learned counsel for the State, on the other hand, on the basis of material available on record and the case diary, vehemently opposed the prayer for bail of the petitioner and submits that after committing the murder the petitioner has disposed of the dead body of the deceased and the report of the learned Trial Court reveals that the trial is going on.

Considering the aforesaid facts and circumstance of the case, I am not inclined to enlarge the petitioner on bail in connection with Ghorasahan P.S. Case No. 378 of 2020 pending in the Court of learned Additional Chief Judicial Magistrate-3, Motihari, East Champaran.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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