

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67042 of 2023

Arising Out of PS. Case No.-227 Year-2021 Thana- DESARI District- Vaishali

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Ravindra Kumar S/O Jay Mangal Das R/O Village Mansai Sadha, P.S Desari,
District Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sh. Shivaji Das S/o Ram Khelawan Das Village Dighra, Post Dighra P.S
Pusa District Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar, Advocate
For the State	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Dharmesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-10-2023 Heard Mr. Sumit Kumar, learned counsel for the for

the petitioner; Mr. Ad. Aslam Ansari, learned APP for the State

and Mr. Dharmesh Kumar, learned counsel for the informant.

2. The petitioner seeks bail in connection with Desari
P.S. Case No. 227 of 2021 registered for the offence punishable
under Sections 304(b) and 204/34 of the Indian Penal Code.

3. As per the prosecution case, the deceased was
married with the petitioner on 24.04.2018 and all the accused
persons including the petitioner tortured and killed the deceased
for demand of dowry.

4. Learned counsel for the petitioner has submitted
that the deceased was ill and while being taken to Delhi, she fell



ill in Shahpur Patori and she was taken to a local hospital in which she was treated and thereafter she died.

5. Learned counsel for the petitioner has taken this Court to the prescription issued by the local Doctor. The prescription of the local Doctor does not inspire confidence as neither the history nor the illness etc. has been mentioned in the prescription and some medicines have been prescribed and the petitioner has been referred to P.M.C.H. It appears that the prescription is an afterthought.

6. It has been contended by the learned counsel for the petitioner that the independent witness has been examined who has supported the treatment and death of the deceased while being taken outside the State. The so-called witness has been examined after one and a half years of the occurrence. It has also been submitted by learned counsel for the petitioner that the informant participated in the last rites and thereafter filed this false case.

7. Learned counsel for the informant has submitted that the deceased has been killed by the accused persons and if she had died in course of treatment, it was the duty of the petitioner and his family members to inform the police so that U.D. case could have been registered about the death of the



deceased but that has not been done in the present case. Moreover, the petitioner has not produced any document of treatment from the Hospitals of Haryana before the Investigating Officer during the entire investigation. Mere statement by the petitioner will not make out a case for bail.

8. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

9. Considering the facts and circumstances as mentioned above, this Court is not inclined to grant bail to the petitioner.

10. Accordingly, this application is dismissed.

11. The trial court is directed to expedite the trial.

(Sandeep Kumar, J)

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