

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70161 of 2022

Arising Out of PS. Case No.-43 Year-2020 Thana- DANAPUR District- Patna

ASHOK KUMAR S/O Late Raja Ram Ray R/O Village- Kharanja Road,
Ward No-11, P.S- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-02-2023 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case under sections 304B and 34 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who was married to the petitioner herein was done to death for nonfulfilment of demand of dowry.

Mr. N.K.Agrawal, learned Senior counsel appearing for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 18.11.2021 (Annexure-1) passed in Cr. Misc. no.20504 of 2021. There are no eye witnesses to the occurrence. In spite of the petitioner having remained in custody since 11.11.2020, the case has not proceeded in the learned trial Court and there is no chance of the trial concluding in the near future. The petitioner has no



criminal antecedent. He undertakes to cooperate in the trial.

Heard learned A.P.P. for the State.

A report was called for from the learned trial Court.

As per the report received contained in letter No.41 dated 24.01.2023 from the Additional District and Sessions Judge, V, Danapur, the case was fixed for framing of charge on 1.2.2023.

Having heard learned counsel for the parties and taking into consideration the petitioner being the husband of the deceased and the contents of the postmortem report wherein the cause of death is said to be asphyxia as a result of strangulation, the Court is not inclined to enlarge the petitioner on bail for the present and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after six months, if there is no substantial progress in the trial in the learned trial Court.

(Partha Sarthy, J)

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