

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69089 of 2022**

Arising Out of PS. Case No.-71 Year-2021 Thana- JURAWANPUR District- Vaishali

Rajiv Ranjan Sao @ Rajiv Ranjan @ Rajiv Ranjan Sah, S/O Chamru Sao R/O
Village- Birpur, P.S. Jurawanpur, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Abdus Shakoor, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

5 19-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Jurawanpur P.S. Case No. 71 of 2021 registered for the offence
under Section 304B, 201, 120B and 34 of the Indian Penal
Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.05.2022.

The allegation against the petitioner is to cause death
of daughter of informant alongwith other co-accused
persons/family members due to non-fulfillment of demand of
dowry as raised for cash of Rs. 30,000/-.



Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case only for the reason that he is the husband of the deceased. It is pointed out that wife of the petitioner died due to excessive dehydration as per medical report issued by Om Emergency Hospital and she died on the way while referred to Patna Medical College and Hospital. It is also submitted that the death of wife of petitioner is normal and is not of homicidal in nature. It is also submitted that in last one year after framing of charge only three witnesses have been examined, suggesting that trial is not likely to be concluded in near future. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail submitted that the petitioner is the husband of deceased. It is conceded that as per the statement of independent witnesses as recorded during the course of investigation in para- 51 of the case diary, demand of dowry is absent, soon before the occurrence. It is also fairly conceded that post mortem of deceased is not available in this case as same was not conducted upon.



Considering the facts and circumstances as mentioned above and by taking note of the fact, as the statement of independent witnesses, negating the demand of dowry soon before the occurrence, where petitioner is in custody since 18.05.2022, let the petitioner, above named, is directed to be released on bail in connection with Jurawanpur P.S. Case No. 71 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. II, Vaishali at Hajipur/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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