

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73539 of 2022

Arising Out of PS. Case No.-194 Year-2021 Thana- CHENARI District- Rohtas

BIRENDRA PRASAD SON OF JAIRAM BIND R/O VILL.- JOGIYA, P.S.-
CHENARI, DISTT.- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamla Kant Pandey

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 30-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for
the offence under Sections 304B/34 of the Indian Penal Code.

The allegation against the petitioner along with others is
of killing the daughter of the informant, due to non-fulfillment of
further dowry demand.

It is submitted by learned counsel for the petitioner that
petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is the husband of the deceased.
There is general and omnibus allegation against the petitioner. He
further submitted that the deceased herself committed suicide.
Petitioner is languishing in judicial custody since 03.09.2021.

Learned APP for the State has opposed the application



for bail and submitted that petitioner is the husband of the deceased and the sole responsibility of taking care of deceased is against her husband/petitioner but he did not do so. From the perusal of the FSL report of the deceased, it appears that Aluminium Phosphide was detected and it is commercially known as Celphos, which is highly poisonous, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

From the perusal of the trial Court report, which has been kept at Flag 'D', it appears that the trial is likely to be concluded within six months.

Hence, the trial Court is directed to conclude the trial within six months, failing which the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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