

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2099 of 2023

Arising Out of PS. Case No.-65 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

VIJAY SINGH Son of Jamuna Singh R/V- Marchi, P.S- Bhagwanpur, Dist-
kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 20-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Bhabhua P.S. Case No. 65 of 2022 dated 07.02.2022
registered for the offence under Sections 304(B)/34 of the
Indian Penal Code.

The daughter of the informant is subjected to
assault and torture on account of non-fulfillment of demand
of dowry by the petitioner and others and she has finally
been done to death for want of dowry.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case merely



on the ground that the petitioner happens to be husband of the deceased. He further submits that on bare perusal of the F.I.R., it appears that there is general and omnibus allegation against the petitioner and no specific allegation of assault or any overt act is attributed to him. He further submits that the petitioner happens to be a handicapped persons having orthopedically handicapped upon 42 percent. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 07.02.2022.

A report with regard to present stage of the trial has been called for by this Court vide order dated 23.06.2023 which has been received and forms part of this application at Flag-B dated 27.06.2023. On perusal thereof, it would reveal that trial has begun and one witness has been examined.

Learned counsel appearing for the petitioner referring to the aforesaid report submits that the trial of this case is not likely to be concluded in near future and the petitioner is languishing in judicial custody since 07.02.2022.

Learned A.P.P. for the State on the basis of material



available on record and the case diary vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the present stage of the trial as reported by the trial court, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

However, learned trial court is directed to expedite the trial and try to conclude it at the earliest.

(Rajesh Kumar Verma, J)

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