

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6118 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- BHAIKAVSHTHAN District-
Madhubani

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Pawan Jha S/O Indranarayan Jha Resident of village- Lohana Purab, P.S.-
Bhairabasthan, District- Madhubani, Presently reside at- X service men
colony Namkum, P.S.- Namkum District- Ranchi, Jharkhand.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
02.08.2022 in connection with Bhairabasthan P.S. Case No. 137
of 2022, F.I.R. dated 21.07.2022 for the offences punishable
under Sections 302, 201 and 34 of the Indian Penal Code.

According to prosecution case, this petitioner along
with other accused persons have murdered the cousin sister of
the informant due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the ground that the



petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact, the marriage was performed in the year 2010 and there was no complaint that the petitioner has demanded any dowry.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the trial is going on and PW, namely, Subhashchandra Jha who is father of the deceased has also supported the allegation in their statement during investigation.

Considering the fact that the trial is going on, I am not inclined to enlarge the petitioner on bail in connection with Bhairabasthan P.S. Case No. 137 of 2022 pending in the court of learned Additional Chief Judicial Magistrate 1st, Jhanjharpur, Madhubani.

Prayer is refused.

However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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