

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31339 of 2024

Arising Out of PS. Case No.-108 Year-2023 Thana- KALYANPUR District- East Champaran

Rahul Kumar Virendra Sah R /O VILL - Chainpur bhgaya nagar, P.S -
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

: Mr. Hemant Ray, Advocate

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

For the Informant : Ms. Priyam Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-07-2024 Heard learned counsel appearing on
behalf of the petitioner and learned APP
appearing on behalf of the State.

2. The petitioner seeks bail in
connection with Kalyanpur P.S. Case No. 108 of
2023 registered for the offences under Sections
304 B and 120 B of the Indian Penal Code.

3. The petitioner is named in the F.I.R.
and is in custody since 15.01.2024.



4. 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 LCD TV, refrigerator and one gold chain.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has been falsely implicated with the present case being husband of the deceased. It is submitted that daughter of the informant being short tempered lady, who used to react seriously on petty matters, committed suicide on one such occasion. It is also submitted that matter appears compromised between the parties. While concluding the argument it is submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.



6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, while opposing the prayer for bail submitted that daughter of informant was brutally murdered in her matrimonial home due to non-fulfillment of demand of dowry as raised by petitioner and family members, while she was pregnant. It is fairly conceded by learned counsel for informant that matter appears compromised between the parties.

7. In view of the facts and circumstances as mentioned above, where from the postmortem report, it appears that the daughter of informant was killed by way of strangulation, who was one month pregnant, in the background of dowry demand and moreover the allegation is not compoundable, this Court is not inclined to grant privilege of bail to the petitioner, for the present.

8. Accordingly, the prayer for bail of the petitioner is rejected herewith.



9. However, learned Trial Court is directed to conclude the trial, preferably, within a period of 04 (four) months from the date of receipt of this order, by taking this matter on board, on day-to-day basis, if required.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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