

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46821 of 2023

Arising Out of PS. Case No.-113 Year-2022 Thana- UJIYARPUR District- Samastipur

AMARJEET SAH SON OF RAM BABU SAH RESIDENT OF VILLAGE
NIKASPUR, PS- UJIYARPUR, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with S.T. No.
518 of 2022 and 125 of 2023 arising out of Ujiyarpur P.S. case
No. 113 of 2022 instituted for the offences under Sections
304B/34 of the Indian Penal Code.

3. Prosecution case, in short, is that petitioner and his
family members have tortured and killed the deceased for the
non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is the husband of the deceased. Learned counsel for
the petitioner submitted that general and omnibus allegation has



been made against the petitioner. No specific overt act is alleged against the petitioner. Petitioner was not present at the place of occurrence on that date, rather on the date of occurrence he was in Kolkata for his livelihood. The co-accused persons have already been granted bail by a Coordinate Bench of this Court vide order dated 09.12.2022 passed in Cr. Misc. No. 51908 of 2022. Learned counsel further submitted that charge has been framed against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.09.2022 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is the husband of the deceased.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence, I am not inclined to grant bail to the petitioner.

7. Prayer is rejected.

8. Learned trial Court is directed to expedite the trial. Further, direction is given to the Superintendent of Police, Samastipur to produce prosecution witnesses in the concerned trial Court without any delay to conclude the trial within the stipulated period.



9. However, the petitioner is given liberty to renew his prayer for grant of bail if the trial is not concluded within one year.

(Rudra Prakash Mishra, J)

Alok Verma/-

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