

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52954 of 2022

Arising Out of PS. Case No.-294 Year-2020 Thana- JOGAPATTI District- West Champaran

DILEEP SHARMA Son of Balister Sharma Resident of Village - Jagirham,
P.S. Yogapatti, Dist. West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Prasad, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

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

ORAL ORDER

8 20-03-2024 Heard learned counsel for the petitioner and
learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in Yogapatti P.S. case
No. 294 of 2020, G.R. No. 31127 of 2020 instituted for the
offences under Sections 304B/34 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the
accused persons physically assaulted and tortured and
thereafter committed murder of the victim due to non-
fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. The petitioner is husband of the deceased.



Charge-sheet has been submitted in this case. As per post-mortem report, the actual cause of death is asphyxia due to burn. Learned counsel for the petitioner further submits that the petitioner is in custody since 20.07.2020 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.

6. A report was called for from the Trial Court. It has been reported that out of eight charge-sheeted prosecution witnesses, one has already been examined and Court below further requested for three months time to conclude the trial.

7. Considering the aforesaid facts and circumstances of the case, nature of accusation and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial at earliest preferably within a period of three months from the date of receipt/production of a copy of this order.

9. However, if the trial is not concluded within



the stipulated period of time, the petitioner will have liberty
to move before the Court below for grant of bail.

(Rudra Prakash Mishra, J)

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