

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55975 of 2024

Arising Out of PS. Case No.-259 Year-2023 Thana- MANIHARI District- Katihar

Kundan Kumar Son Of Late Jawahar Rai Village- Jagwati, Ps- Manihari,
Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Manihari P.S. Case No. 259 of 2023 instituted for the offence
under Sections 304(B)/34 of the Indian Penal Code.

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

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-11-2023. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present
case. Petitioner is the husband of the deceased. Mother-in-law of
the deceased has been granted regular bail by this Court *vide*



order dated 22-04-2024, passed in Cr. Misc. No. 29585 of 2024. There is no independent witness to the occurrence. It is submitted that petitioner is disabled and due to this reason, deceased tried to keep distance from the petitioner, which gave rise to frustration and resulted in suicide. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that dead body was found in the baramdah of the petitioner. It is further submitted that inquest report also corroborates the allegation levelled in the FIR. Hence, petitioner does not deserve the privilege of grant of regular bail.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner and keeping in view the materials available in the case diary against the petitioner, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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