

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57955 of 2024

Arising Out of PS. Case No.-147 Year-2023 Thana- NATWAR District- Rohtas

Rahul Kumar, Son of Sri Harendra Singh, Resident of Village- Bardiha @
Basdiha, PO and PS- Natwar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Choubey, Advocate
		Mr. Jainandra Kumar, Advocate
For the Opposite Party/s :		Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-10-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.862 of 2023, arising out of Natwar P.S. Case no. 147 of 2023 registered under sections 304B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter, who was married to the petitioner herein, was tortured by the accused persons for non-fulfillment of the demand of dowry which was by way of motorcycle besides other articles. She was assaulted and ultimately strangled to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason of his being the husband of the deceased. The informant admittedly is not an eye witness to the occurrence. The



allegations levelled in the F.I.R. are false and concocted and the investigation in the case has already concluded with submission of the charge-sheet. The petitioner has no criminal antecedent and he is in custody since 29.9.2023. He undertakes to cooperate in the trial. It is further submitted that co-accused have already been enlarged on regular bail.

5. The prayer for bail is opposed by learned A.P.P for the State who submits that the petitioner happens to be the husband of the deceased. Referring to the postmortem report conducted by the medical board consisting of three doctors, it is submitted that the cause of death stated therein is asphyxia due to strangulation.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner being the husband of the deceased and the contents of the postmortem report wherein the cause of death is said to be asphyxia due to strangulation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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